

CITY OF WOODBURN

CITY COUNCIL AGENDA

OCTOBER 23, 2006 – 7:00 P.M.

KATHRYN FIGLEY, MAYOR
WALTER NICHOLS, COUNCILOR WARD I
RICHARD BJELLAND, COUNCILOR WARD II
PETER MCCALLUM, COUNCILOR WARD III
JAMES COX, COUNCILOR WARD IV
FRANK LONERGAN, COUNCILOR WARD V
ELIDA SIFUENTEZ, COUNCILOR WARD VI

CITY HALL COUNCIL CHAMBERS – 270 MONTGOMERY STREET

1. CALL TO ORDER AND FLAG SALUTE
2. ROLL CALL
3. ANNOUNCEMENTS AND APPOINTMENTS

Announcements:

- A. The public is invited to a Community Center Outreach Meeting on Tuesday, October 24 at 6:30 p.m. at the Woodburn Public Library to discuss the design of two recreation facilities with Carleton Hart Architecture. The two recreation facilities include the expansion of the Woodburn Aquatic Center, and the development of a new Community Cultural Center.
- B. The Woodburn Memorial Aquatic Center is currently closed for maintenance through November 5, 2006.
- C. General Election, November 7, 2006: Woodburn City Hall is a designated Marion County ballot drop site during regular business hours; however, the City Hall lobby area will be open until 8:00 p.m. on Election Day.
- D. City Hall and the Woodburn Public Library will be closed Friday, November 10, 2006, in observance of Veteran's Day. The Aquatic Center will remain open.
- E. The Woodburn Police Department will host a Ribbon Cutting Ceremony for the new police facility on Monday, November 13, at 2:00 p.m. at 1060 Mt. Hood Avenue.

Appointments:

None.

“Habrá intérpretes disponibles para aquellas personas que no hablan Inglés, previo acuerdo. Comuníquese al (503) 980-2485.”

4. PROCLAMATIONS/PRESENTATIONS

Proclamations:

None.

Presentations:

- A. Woodburn Area Chamber of Commerce Branding Project –
Nick Harville, Executive Director

5. COMMITTEE REPORTS

- A. Chamber of Commerce

6. COMMUNICATIONS

None.

7. BUSINESS FROM THE PUBLIC – *This allows the public to introduce items for Council consideration not already scheduled on the agenda.*

8. CONSENT AGENDA – *Items listed on the consent agenda are considered routine and may be enacted by one motion. Any item may be removed for discussion at the request of a Council member.*

- | | |
|-------------------------------------------------------------------------------------|----|
| A. Woodburn City Council minutes of October 9, 2006, regular and executive sessions | 1 |
| <u>Recommended Action:</u> Approve the minutes. | |
| B. Woodburn Recreation and Parks Board draft minutes of October 17, 2006 | 13 |
| <u>Recommended Action:</u> Accept the draft minutes. | |
| C. Woodburn Public Library Board minutes of October 11, 2006 | 15 |
| <u>Recommended Action:</u> Accept the minutes. | |
| D. Woodburn Public Library Monthly Report for September 2006 | 18 |
| <u>Recommended Action:</u> Receive the report. | |
| E. Claims for September 2006 | 20 |
| <u>Recommended Action:</u> Receive the report. | |
| F. Police Department Statistics – September 2006 | 24 |
| <u>Recommended Action:</u> Receive the report. | |

9. TABLED BUSINESS

None.

10. PUBLIC HEARINGS

- A. Supplemental Budget** **30**
Recommended Action: Conduct public hearing, receive public comment, and direct staff to prepare an ordinance to substantiate its decision.

- 11. GENERAL BUSINESS** – *Members of the public wishing to comment on items of general business must complete and submit a speaker's card to the City Recorder prior to commencing this portion of the Council's agenda. Comment time may be limited by Mayoral prerogative.*

- A. Council Bill 2645 - Resolution granting United Disposal Service, Inc., an adjusted rate schedule for providing solid waste service within the City of Woodburn and amending Resolution 1833** **36**
Recommended Action: Adopt the resolution.

- B. Award of Contract – Ogle/RR/Front Storm Drain Bore Crossing** **54**
Recommended Action: Award the contract to the lowest responsible bidder, Emery and Sons Construction, Inc. for Ogle/RR/Front Storm Drain Bore Crossing, Bid Number 2007-04; and authorize the City Administrator to execute a contract with Emery and Sons Construction in the amount of \$226,184.

- C. Liquor License New Outlet** **59**
Recommended Action: Recommend that the OLCC approve a New Outlet application for Margarita's La Cantina.

- D. City Administrator Employment Agreement** **62**
Recommended Action: Approve, and authorize the Mayor to execute, the Addendum to the Employment Agreement with John C. Brown.

12. NEW BUSINESS

13. **PLANNING COMMISSION OR ADMINISTRATIVE LAND USE ACTIONS** – *These are Planning Commission or Administrative Land Use actions that may be called up by the City Council.*
 - A. **Community Development Director's Approval of Design Review 06-09 located at 1585 N. Pacific Highway, Ste. A (Wireless Toyz)** 65
14. **CITY ADMINISTRATOR'S REPORT**
15. **MAYOR AND COUNCIL REPORTS**
16. **ADJOURNMENT**

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**0001 DATE. COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN,
COUNTY OF MARION, STATE OF OREGON, OCTOBER 9, 2006.**

0025 ROLL CALL.

Mayor	Figley	Present
Councilor	Bjelland	Present
Councilor	Cox	Present
Councilor	Lonergan	Present
Councilor	McCallum	Present
Councilor	Nichols	Present
Councilor	Sifuentez	Present

Staff Present: City Administrator Brown, City Attorney Shields, Public Works Director Tiwari, Community Development Director Allen, Police Chief Russell, Finance Director Gillespie, City Recorder Tennant

0049 ANNOUNCEMENTS.

A) Aquatic Center will be closed for annual maintenance between October 22, 2006 and November 5, 2006.

B) Community Center Outreach Meeting will be held on Tuesday, October 24, 2006, 6:30 p.m., at the Woodburn Public Library to discuss the design of two recreation facilities with our architect from Carleton Hart Architecture. The facilities include the expansion of the Aquatic Center and the development of a new Community Cultural Center.

Mayor Figley stated that a previous Task Force had come to the consensus of the need and desirability to expand the Aquatic Center to a facility similar to what it was originally designed to be, and a wish to have a culturally oriented facility somewhere else where it would fit within our community. The purpose of this meeting is to move forward on pre-design of the Aquatic Center expansion and to develop a focus on what might be done on the cultural center concept. She urged interested members of the community to attend this meeting to provide their input on the designs of the facilities.

0129 PROCLAMATION: DOMESTIC VIOLENCE AWARENESS MONTH.

Mayor Figley proclaimed the month of October 2006 as Domestic Violence Awareness Month and urged community members to continue working towards providing a safe haven for domestic violence survivors and their children by offering them hope, empowerment, and assistance in restoring their lives.

0216 PRESENTATION: DOMESTIC VIOLENCE.

Jane Downing, Executive Director of the Mid-Valley Women's Crisis Center, provided information on the Center which is located in Salem but is available to assist anyone in need within Marion County. As a 24-hour crisis center, they provide emergency shelter

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to women and children serving up to 500 residents annually. Other intervention and supportive services provided by the Center include a 24-hour hot line accessible in almost any language, counseling, referrals to community resources, support groups, and provide life-skills training. Educational materials are printed in English, Spanish, Russian, Vietnamese, large print and audio in an effort to reach most women in the area who are in need of help.

Walt Beglau, Marion County District Attorney, stated that October is the month to recognize community professionals, volunteers, and advocates who make the survivors of domestic violence their life's cause. He reviewed the District Attorney's office statistics on domestic violence cases and, within Woodburn, over 100 domestic violence cases were forwarded to the District Attorney's office over the last year. A team of lawyers has been created within his office dedicated to working on domestic violence cases and protecting victims. Within the Center, 2 out of 3 residents are children on any given day and the ability to help families is dependent upon the community's efforts to combat domestic violence. He also stated that the Crisis Center will be holding a silent auction and dessert event on December 5, 2006 to raise funds for the center.

0656 CHAMBER OF COMMERCE REPORT.

Bob Rhoades, representing the Chamber Board, provided information on upcoming Chamber events:

- 1) Crystal Apple awards for recognition of educators will be held November 3, 2006 at the Oregon Garden and nominations are currently being accepted.
- 2) Community Auction will be held on November 18, 2006 at the Woodburn Armory. This auction is a combined effort of the Woodburn FFA, Woodburn Bulldog Association, and the Chamber.
- 3) the Chamber's Workforce Development program is moving forward and getting workers ready for the workplace;
- 4) Chamber's Forum Lunch will be held on October 18, 2006 and guest speaker will be School Superintendent Walt Blomberg; and
- 5) the Chamber will be moving to their new office located at the corner of Lincoln and Front Street once the remodeling has been completed.

0716 WOODBURN SCHOOL DISTRICT REPORT.

Walt Blomberg, School Superintendent, stated that Heritage School teacher Larry Conley received a \$25,000 unrestricted financial award from the Milken Family Foundation in recognition of his work to improve student education. This award is given annually to 100 teachers throughout the United States.

In regards to the upcoming bond election, he displayed pictures of the work to be completed with the bond proceeds which includes purchasing land and building a new school, repaying loan that was taken out to expand the high school facility which will house one of the four small high schools, addition of middle school space at Valor Middle School, and expansion and upgrades to the Nellie Muir elementary school. The

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bond measure is for \$40.5 million which equates to approximately \$2.16 per \$1,000 assessed value for the first year and \$1.97 per \$1,000 assessed for the rest of the life of the bond.

0990 CONSENT AGENDA.

A) approve regular and executive session Council minutes of September 25, 2006;

B) accept the draft Planning Commission minutes of September 28, 2006;

C) receive the Planning Tracking Sheet dated October 5, 2006;

D) receive the Building Activity Report for September 2006; and

E) receive the informational memo on the Fall Leaf Collection Program.

Councilor McCallum expressed his appreciation for the revisions made to the Planning Tracking Sheet in that it was much easier for him to read.

MCCALLUM/BJELLAND... adopt the Consent Agenda as presented. The motion passed unanimously.

**1063 PUBLIC HEARING: COMMUNITY DEVELOPMENT BLOCK GRANT
(Hazelwood Estates project - 825 Carol Street).**

Renata Chmielowski, Council of Government, stated that, as a part of the block grant closeout procedures, a hearing is required to review the results of the project with the public and for the Council to obtain public input about the City's performance under the grant. This grant was awarded in December 2005 and provided funding assistance for infrastructure improvements in support of Marion County Housing Authority's project known as Hazelwood Estates.

Dennis Kilfoil, Marion County Housing Authority Executive Director, stated that their project is complete and within budget. The facility is now over 90% occupancy and they expect to have the remaining apartments leased by the end of the month. This is a 32-unit housing facility for individuals age 62 and older with income levels under \$30,000 annually.

Mayor Figley declared the public hearing open at 7:23 p.m..

No one in the audience commented on the project.

Mr. Kilfoil thanked the City for the assistance provided to his agency by agreeing to be the applicant for the block grant which provided funding for infrastructure improvements along Carol Street.

The hearing closed at 7:25 p.m..

1398 CURBSIDE RECYCLING PROPOSAL.

Mayor Figley stated that the staff report provided information on United Disposal's curbside recycling proposal.

Councilor Cox stated that he had a list of questions many of which City Administrator Brown has previously answered, however, he reviewed those questions and answers in case clarification was needed. First of all, he questioned the continued use of the red recycling box for recycling glass, motor oil, oil base paints and batteries even if the

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recycling cart if used by a customer and the answer was that the recycling box will be used for these specific items and will be picked up at the same time as the cart. The next question pertained to the customer's ability to opt out of the recycling cart program if they have a 20-gallon trash container. It was confirmed that these customers could elect not to have the cart but would still be able to use the red recycling box as they currently are doing for papers, plastics, cardboard, etc., without being charged the additional \$1.80 per month. His next question was whether or not cardboard boxes would have to go into the recycling cart or if the customer could continue to flatten the cardboard boxes and place the cardboard next to the cart or red recycling box. It was confirmed that the customer would have the choice of either putting the cardboard in the cart or placing it next to the cart for pick-up. In regards to the fee, he stated that United Disposal has indicated that the fee will cover costs associated with the purchase of the carts, a new truck, and a part-time employee. The service would be provided on a bi-weekly basis and United Disposal will only provide optional service to those customers with a 20-gallon trash container since they will be having a high capital investment. He also questioned what items, if any, could be recycled within a cart that cannot now be recycled with the red boxes and the answer was there is no change in the list of items that can be recycled. Lastly, he questioned if United Disposal did on-site sorting of the recyclable materials.

Robin Murbach, General Manager of United Disposal Allied Waste of Marion County, stated that recycled materials are co-mingled and sent off to Far West Fibers who separates the recyclable materials. United Disposal does receive a small amount of money per ton for the co-mingled materials. All of the recycled materials are utilized and markets for the materials are found domestically and overseas.

Councilor Cox questioned if styrofoam can be recycled.

Ms. Murbach stated that they are working with an individual at the Salem Transfer Station who is looking at recycling styrofoam once a month but that is not something that United Disposal is including in the recyclable materials at this time. She reminded the Council that the recycling pick-up for bins and carts would be bi-weekly whereas current pick-up is weekly.

Administrator Brown stated that there are two proposals before the Council but the one being considered is the bi-weekly proposal since it is more affordable than the weekly proposal.

Councilor McCallum stated that concern has been raised on the size of the cart and questioned if the cart size could be reduced to a 65-gallon cart. It was noted that the red bin will hold 5-gallons.

Ms. Murbach stated that she is willing to do whatever the Council would like, however, the 90-gallon size is what is used by other cities. In regards to the cart sizes, the 65-gallon has the same footprint as the 90-gallon cart but the larger cart is taller.

Additionally, the carts are almost the same in price and she did not anticipate a change in the monthly fee, however, the cart size might help customers who have an issue with space.

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Councilor McCallum stated that the use of carts will reduce the amount of debris found in the neighborhood since the wind will often blow loose materials down the street. He also questioned as to what other materials may be recycled in the future.

Ms. Murbach stated that the Salem Transfer station is also looking at the possibility of recycling TV's and inkjet cartridges but she did not foresee much change in the curbside recycling.

Councilor Lonergan declared an indirect conflict of interest with Allied Waste in that he works for Allied Waste of Clackamas County, however, he does not have any personal involvement with United Disposal or any financial involvement with any part of this program, therefore, felt that he could participate in this discussion and vote on the proposal.

Councilor McCallum questioned what other cities in Marion County have this type of program in place.

Ms. Murbach stated that the co-mingled recycling program is in place in Mt. Angel, Silverton, Hubbard, Salem, and Keizer. Stayton is currently looking at a co-mingled cart program. In regards to pick-up dates, United Disposal does provide a calendar for customers as a reminder as to when the recycled materials would be picked up by their company.

Councilor McCallum questioned if there were any statistics available as to how Woodburn does for recycling.

Bailey Payne, Recycling Coordinator for Marion County, stated that Marion County is mandated by DEQ to achieve a rate that increases over time but Marion County's goal is 54% is the short term and eventually to 59%. The County is making progress and are excited about Allied Waste's willingness to expand recycling options. In regards to electronics recycling, the Salem Transfer station does accept electronics such as PC's, monitors, DVD players, VCR's, stereos, telephones, and printer cartridges at no charge. Councilor Cox questioned how the \$1.80 per month charge compares with the charge assessed to customers in the different cities.

Ms. Murbach stated that Salem's charge was over \$2.00 per month, Mt. Angel's increase was \$5.50 per month for both the yard debris and recycling cart, and her recent proposal to Stayton was for \$2.50 per month.

Councilor Lonergan requested clarification as to whether or not customers are paying anything towards the current recycling program utilizing the red bins.

Ms. Murbach stated that the current rates do include a charge for picking up recyclable materials on a weekly basis. Under the current proposal, those customers who elect not to have a cart can continue to place their paper products and plastics in the bin but the glass needs to be placed outside of the bin and customers can elect to purchase their own container which can be placed at the curbside for recycling glass, batteries, oil, and paint products.

Councilor McCallum stated that the biggest concern is the size of the cart since many homeowners have small lots with limited space.

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Councilor Lonergan stated that the same argument on cart size was raised with the yard debris program and, in the communities he services, the customers are not willing to give back either the yard debris or co-mingled recycling carts.

- 3502 Darryl Kelley, 432 Willow, expressed his opinion that if this proposal is adopted, then all customers should pay the additional fee rather than having it optional to only those customers who have a 20-gallon trash container. In his area, those customers with a small trash container have it overflowing and debris can be found in the yards and streets. Charles Blake, Senior Estates, questioned the regular pick-up service for the bins and whether or not additional bins or boxes will be picked up if the customer does not elect to have a cart.

Ms. Murbach stated that pick-up will be on a bi-weekly basis and all recyclable materials will be pick-up.

Mr. Blake stated that he understood the rationale behind the proposal but expressed his preference of having the option of using just the bins since space is of a premium in his neighborhood.

Liz Kraiter, 2337 Miller Court, requested clarification on the rates.

Ms. Murbach stated that there will be two rates for the 20-gallon cart with one rate including the 90-gallon co-mingled recycling cart and the other rate for just the 20-gallon trash container with the red bin.

Allen Condit, 1085 Tierra Lynn Ct., stated that he did not want the 90-gallon cart and questioned if excess recycling can be taken to the facility in order not to be overflowing.

Ms. Murbach clarified that no one is required to take the 90-gallon cart, however, if the trash container size is greater than 20-gallons, then the \$1.80 monthly fee will be imposed even if they do not have the recycling cart. Recycling can be brought to the United Disposal facility during regular business hours at no charge.

Einor Long, 1373 Rainier Rd, stated that he has limited space and has no room for a 90-gallon container but the 5-gallon red bin is insufficient space for him with a bi-weekly service. He questioned if he could purchase another container from a local store to be used in conjunction with the red bin in case he needed for space.

Ms. Murbach stated that customers with a 20-gallon trash container can purchase their own containers and place them at the curbside with the red bin for pick-up and there would be no additional charge for the extra containers.

Donald Dow, 1388 Rainier Rd, requested clarification on recycling glass products.

Ms. Murbach stated that glass products must be kept separate from the other co-mingled recycled products since sorting recycled products is still being done by hand and broken glass could be dangerous to the person sorting the materials.

Councilor Lonergan questioned when the program would begin if it is approved by the Council.

Ms. Murbach stated that they are looking to start the program right after Christmas.

- 4537 Mayor Figley stated that her initial reaction to the original proposal was that it would be good for our community but her concern has been for those households that would not use the large container or did not have room for the large container. If she were to vote, it

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would be in support of the proposal now that she knows that someone with a 20-gal container has the option of participating in the recycling program using the cart. If they elect not to participate, they can still continue to use the recycle bin that they are currently using at no additional charge. The convenience to the consumer is paying one charge for a cart in which you can co-mingle your recyclables excluding glass and some other limited recyclable products.

Councilor McCallum stated that he likes to look into the future and, as a matter of livability, would like Woodburn to increase the amount of recycling since there is a land/ash fill site just north of Woodburn and the more garbage that is recycled the less ash will be deposited over the next several years at this site. He also has concerns about the size of the cart and hoped that some alternatives will be looked at by Allied Waste. He reiterated that there is a stewardship of the land and felt that, as time progresses on, the list of recyclable materials will continue to expand.

Councilor Cox stated that the program seems to be good but he has not seen in his neighborhood any particular problem with the scattering of recyclable materials in the streets or in yards. As an elected official, he may decide to go along with the wishes of the majority of the people in his Ward which is to keep things the way they are at this time. For the short term, he did not feel that putting in the large carts would increase the amount of recycling that is currently being done by his constituents.

Councilor Bjelland stated that there would be a slight increase in garbage fees if this proposal is approved by the Council. Any customer with a 20-gallon container has an option to not participate in the recyclable cart program and would not be charged the \$1.80 monthly fee. If a customer stayed with the red container program, their recyclable materials would only be picked up every two weeks rather than weekly as is the current practice. In his neighborhood, the recyclable bins are overflowing and having a cart would most likely eliminate the scattering problem. He stated that all customers have an option on accepting the cart but there will be a \$1.80 per month charge to all customers with a 35-gal trash container or larger. He felt that the advantages of a recycling system for most of the people in Woodburn offset the slight disadvantage for those who need a larger trash container but do not want the larger recycling cart.

Councilor Nichols also stated that he would be in favor of the proposal since, in his neighborhood, recycled materials do scatter in the neighborhood. He agreed that it may be inconvenient but the benefits of recycling outweigh the disadvantages.

Councilor Lonergan stated that he has the advantage of working in this industry and has seen how well it works in other communities. For example, Lake Oswego has had a 17% increase in their recycling program since the co-mingled cart program has been in effect. He stated that our local company has been working with each City to tailor a program that is unique to each City. Within Woodburn, Allied Waste has offered an opt-out provision for customers with a 20-gallon trash container and will still continue with curb-side pickup on a bi-weekly basis at no additional charge. He stated that recycling does reduce the waste stream whereas if a customer with a 35-gallon cart increases their recycling through the co-mingled cart program, then they most likely will have less trash going out

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weekly thereby reducing their trash container size from 35-gallon to 20-gallon. This reduction in the trash container size will provide the customer with a net monthly savings of \$.60 (\$2.40 trash container savings less \$1.80 recycling cart charge). If a customer has a larger trash container size and they reduce the container size due to recycling, they will see even a greater monthly cost savings. He reiterated that he is strongly in favor of recycling. He also mentioned that Woodburn was one of the first communities in the County that went to curbside recycling and it continues to expand.

Councilor Sifuentez stated that recycling is good for the environment but citizens have choices and she was in favor of the proposed program.

Administrator Brown stated that a change in the program will be a rate schedule adjustment, therefore, staff will need to prepare a Resolution for Council consideration. He stated that staff will be discussing can size options with United Disposal by next week and information will be provided to the Council.

Ms. Murbach stated that she will work with staff on the cart size since her proposal was for a 90-gallon cart size which is used by customers in other cities. She stated that she understands the concerns of customers who do not have room for the 90-gallon cart and assured the Council that she will talk to Administrator Brown before the Council makes a final decision. She will need to order the carts in about 3 weeks in order to receive the carts in time for a December delivery and the rate adjustment would take place effective January 1, 2007.

Councilor McCallum stated that the Council received an excellent staff report with both the pros and cons on the proposed service. Many people provided input and, even though people want to recycle, there are issues that need to be considered. He was impressed with a letter from a Senior Estates resident who had stated that they did not want the change but were very pleased with the service provided by United Disposal (Allied Waste).

The Mayor thanked everyone who called City Hall, wrote letters, and attended this meeting to provide input on this issue.

BJELLAND/MCCALLUM... authorize staff to prepare a resolution for bi-weekly recycling service.

The motion passed 5-1 with Councilor Cox voting nay.

6450 COUNCIL BILL NO. 2643 - ORDINANCE PROHIBITING GRAFITTI AND THE POSSESSION OF GRAFITTI IMPLEMENTS; CREATING THE OFFENSE OF FAILURE TO SUPERVISE A MINOR COMMITTING GRAFFITI VIOLATIONS; PROVIDING FOR THE ABATEMENT OF GRAFFITI NUISANCE PROPERTY, AND REPEALING ORDINANCE NO. 2173.

Council Bill No. 2643 was introduced by Councilor Sifuentez. Recorder Tennant read the two readings of the bill by title only since there were no objections from the Council. Councilor Bjelland stated that he was pleased to see this proposed ordinance before the Council which is reflective of the in depth research done by staff. He felt that this was an

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excellent approach to take control of graffiti by giving the City better leverage on parents and hopefully they will provide better supervision of their children.

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Councilor McCallum also stated that the proposed ordinance is an extension of the City's current ordinance on graffiti and he felt that it was time that the City was pro-active on this issue similar to what is being done in other areas.

Councilor Cox questioned if the abatement procedures are similar to what is in the current ordinance.

Police Chief Russell stated that the abatement procedures are unchanged and property owners will not see any additional impact.

On roll call vote for final passage, the bill passed unanimously. Mayor Figley declared Council Bill No. 2643 duly passed.

**0076 COUNCIL BILL NO. 2644 - RESOLUTION OF THE CITY OF WOODBURN
APPROVING THE ACTIONS OF THE BOARD OF DIRECTORS OF THE
HOSPITAL FACILITY AUTHORITY OF THE CITY OF SILVERTON,
OREGON.**

Councilor Sifuentez introduced Council Bill No. 2644. The bill was read by title only since there were no objections from the Council.

As outlined in the staff report, Silverton Hospital and the Hospital Authority of the City of Silverton will be financing Silverton Hospital projects located in Woodburn through the issuance of a Health Facilities Revenue Note. To qualify 501 (c)(3) bonds under IRS Code, the governmental agencies where proposed projects are located must approve the issuance of the bond. Costs incurred by the City to review the document provided by the Hospital Authority are being paid for by the Housing Authority as provided for in an agreement which is attached to the proposed resolution. It was also noted that no property tax dollars will be assessed to property owners within Woodburn.

On roll call vote for final passage, the bill passed unanimously. Mayor Figley declared Council Bill No. 2644 duly passed.

**0190 LIQUOR LICENSE - NEW OUTLET: THE BISTRO AT WELLSRING, 1475
Mt. Hood Avenue.**

A new outlet full on-premise liquor license application was submitted by The Silverton Hospital for The Bistro at WellSpring.

BJELLAND/SIFUENTEZ... recommend to OLCC approval of a new outlet liquor license application for The Bistro at WellSpring.

Councilor McCallum stated that he had some disappointment with this application in that this location is a medical facility but the business is a separate venture even though it is owned by Silverton Hospital.

Councilor Nichols stated that he had spoken to other people about this application and they were also shocked to hear that the facility had applied for a liquor license since alcohol has potential health effects on individuals and he did not believe that alcohol

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should be sold or consumed at a medical facility.

Councilor McCallum questioned if the alcohol service is at meals only versus alcohol being served continuously similar to a bar or lounge situation.

Chief Russell stated that OLCC licenses are now either Full or Limited so the license does not specifically control the timing issues. However, the applicant does have to state in the application when alcohol and food would be served and the applicant needs to abide by the hours listed in the application.

On roll call vote, the motion passed 5-1 with Councilor Nichols voting nay.

0397 **OLCC NEW OUTLET: CACTUS GRILL TAQUERIA AND RESTAURANT #2,
1615 Mt. Hood Avenue.**

COX/LONERGAN... recommend to OLCC approval of the new outlet application for the Cactus Grill and Taqueria and Restaurant #2.

Councilor McCallum inquired as to the number of restaurants in Woodburn that sell kegs of beer.

Chief Russell stated that most locations do not have a large enough cooler to store that type of item for distribution and taverns are the businesses that would generally sell kegs. He stated that kegs have been a part of this license for many years and kegs are marked so that they can be tracked back to point of sale especially in those incidents involving juvenile drinking parties.

Councilor Lonergan questioned if this business would be opened on Saturday since the staff report lists business days/hours for all but Saturday.

Chief Russell stated that to the best of his knowledge the business would be open on Saturday.

On roll call vote, the motion passed 5-1 with Councilor Nichols voting nay.

0621 **AGREEMENT FOR CONSULTING SERVICES WITH WINTERBROOK
PLANNING.**

BJELLAND/MCCALLUM... authorize the City Administrator to execute the Amended Agreement for Consulting Services with Winterbrook Planning and any related documents for fiscal year 2006-07.

The motion passed unanimously.

0663 **PLANNING COMMISSION OR ADMINISTRATIVE LAND USE ACTIONS.**

A) Planning Commission's approval of Partition 06-07, Variance 06-07, and Variance 06-13 for property located at 847 N. Cascade Drive. This action authorizes the creation of three (3) parcels with a variance to orient Parcel #1 toward the shared access easement instead of Cascade Drive and a variance to the street improvements on N. Cascade Drive.

No action was taken by the Council to bring this land use issue up for review.

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0675 CITY ADMINISTRATOR'S REPORT.

Administrator Brown stated that he had nothing to report for this meeting.

0703 MAYOR AND COUNCIL REPORTS.

The Mayor and Councilors had nothing to report on at this meeting.

0731 EXECUTIVE SESSION.

Mayor Figley entertained a motion to adjourn into executive session under the authority of ORS 192.660(1)(h), 192.660(1)(f), 192.660(1)(d), and 192.660(1)(i).

MCCALLUM/SIFUENTEZ... adjourn to executive session under the statutory authority cited by the Mayor. The motion passed unanimously.

The Council adjourned to executive session at 8:43 p.m. and reconvened at 9:48 p.m..

0760 Mayor Figley stated that no action was taken by the Council while in executive session.

COX/MCCALLUM... amend the City Administrator's compensation effective October 1, 2006 by increasing his base salary by 6% which includes a cost of living adjustment. The motion passed unanimously.

0815 ADJOURNMENT.

MCCALLUM/NICHOLS... meeting be adjourned. The motion passed unanimously. The meeting adjourned at 9:50 p.m..

APPROVED _____
KATHRYN FIGLEY, MAYOR

ATTEST _____
Mary Tennant, Recorder
City of Woodburn, Oregon

**Executive Session
COUNCIL MEETING MINUTES
OCTOBER 9, 2006**

DATE. CONFERENCE ROOM, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, OCTOBER 9, 2006.

CONVENED. The Council met in executive session at 8:45 p.m. with Mayor Figley presiding.

ROLL CALL.

Mayor	Figley	Present
Councilor	Bjelland	Present
Councilor	Cox	Present
Councilor	Lonergan	Present
Councilor	McCallum	Present
Councilor	Nichols	Present
Councilor	Sifuentez	Present

Mayor Figley reminded the Councilors and staff that information discussed in executive session is not to be discussed with the public.

Staff Present: City Administrator Brown, City Attorney Shields, City Recorder Tennant

The executive session was called under the following statutory authority:

- 1) ORS 192.660 (1)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed;
- 2) ORS 192.660 (1)(f) to consider records that are exempt by law from public inspection;
- 3) ORS 192.660 (1)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations; and
- 4) ORS 192.660(1)(i) to review and evaluate, pursuant to standards, criteria and policy directives adopted by the governing body, the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member unless the person whose performance is being reviewed and evaluated requests an open hearing.

City Attorney Shields was in attendance from 8:45 p.m. until 9:00 p.m.

City Administrator Brown was in attendance from 8:45 pm until 9:03 pm and returned to the executive session at 9:35 pm until adjournment.

ADJOURNMENT.

The executive session adjourned at 9:47 p.m..

APPROVED _____
KATHRYN FIGLEY, MAYOR

ATTEST _____
Mary Tennant, Recorder
City of Woodburn, Oregon

DRAFT

1. **Call to Order**
Herb Mittmann, Board Chair called the meeting to order at 7 p.m.
2. **Introduction of New Board Member**
Herb Mittmann welcomed Judy Wesemann to the Board.
3. **Roll Call**
Members present: Herb Mittmann, Board Chair; Bruce Thomas, Member, Joseph Nicoletti, Member; Eric Yaillen, Member; Judy Wesemann, Member
Absent: Rosetta Wangerin, Board Secretary; Cristal Sandoval, Member

Staff present: Steve Patterson, Recreation Services Manager; Debbie Wadleigh, Paulette Zastoupil, A.A. , John Brown, City Administrator
4. **Approval of Minutes from July 11, 2006.**
Herb Mittmann/Bruce Thomas – Motion to accept the minutes from July 11, 2006. The motion passed unanimously.
5. **Business from the Audience: None**
6. **Introduction of New Aquatic Manager**
Steve Patterson introduced Debbie Wadleigh to the Board.
7. **Division Reports**

Recreation and Leisure Services

Parks and Facilities – Steve Patterson

Steve Patterson reported that Adult Basketball and Drop In Adult Volleyball programs were starting. The Mayor's Tree Lighting will be on December 3rd, the community will have activities at the Settlemier House beginning at 5 pm and the Christmas Tree will be lit at 6:30 pm in the Downtown Plaza. The Community Foundation is in the process of reviewing by-laws and working with an attorney to file the necessary IRS paperwork. Steve shared that the Community Center consultant would be meeting with the public on October 24, 6:30 pm at the Woodburn Library. Centennial Park Ballfield #3 final construction is underway with the roofs being installed by the end of the month. The National Park Service provided a grant for the purposes of hiring a Landscape Architect to design the trail system for the Hermanson Park Complex section of the Mill Creek Greenway. The grant also includes the development and printing of a promotional brochure, which YES Graphics produced. John Brown reported to the Board that the selection for the Community Services Director is in process. There were 26 applications and half were selected to receive supplemental questions that are due back by October 29th. He hopes to interview 6-8 applicants by the middle of November with the new director starting by the first of January.

Aquatics – Debbie Wadleigh

Debbie reported she has produced a newsletter and is having translated in Spanish. This will be a monthly open communication tool with staff and customers. She has met with the Woodburn Kiwanis and is looking forward to meeting with more Fraternal organizations to share information on new programs at the Aquatic Center. Debbie shared that she is meeting with Chemeketa to possibly implement classes through them. The Woodburn High School has also approached her for a class, and she is working to accommodate them. She has asked Woodburn Together to include the Woodburn third grade students for swim lessons in the spring. Debbie has sent out staff surveys and is currently working on customer surveys. She reported that the annual maintenance is the last two weeks of October and the pool will be closed, but she has partnered with Molalla Swim Center so Woodburn customers could continue their regular programs at district rate while the pool was shut down. The Board asked Debbie what safety lessons were given to the children and Debbie shared a detailed description of the age appropriate lessons given at the pool.

8. Jesse Settlemier Monument

Decision by public works was made to hold the project until spring. No decision was made by the Board.

9. Future Board Business

Herb Mittmann/Joseph Nicoletti – Motion to wait until the new director was hired to hold the Board Retreat Workshop. The motion passed unanimously.

10. Board Comments

Bruce Thomas commented that he would like to see the SDC's used to finish the Greenway instead of adding a new park to the City's inventory. Eric Yaillen sated that those decisions need to follow master planning and then be prioritized by the Board. John Brown clarified the SDC laws in which they needed to be used to extend the level of service in existing parks, capitol improvements and new growth. The consensus of the board was that decisions would happen when the Park Comprehensive Plan was updated.

11. Adjournment

7:58 p.m.

Rosetta Wangerin, Board Secretary

Date_____

Paulette Zastoupil, Recording Secretary

Date_____

MINUTES
MONTHLY MEETING OF WOODBURN PUBLIC LIBRARY BOARD

DATE October 11, 2006

ROLL CALL: Mary Chadwick – Present Willis Grafe - Present
 Neal Hawes – Present Nancy Kirksey - Absent
 Phyllis McKean - Present Ardis Knauf - Present

STAFF PRESENT: John Brown, City Administrator
 Anna Stavinoha, Library Manager
 Vicki Musser, Recording Secretary

GUESTS: None.

CALL TO ORDER: President Mary Chadwick called the meeting to order at 7:00 pm.

SECRETARY'S REPORT: The minutes of September 13, 2006 were read aloud and approved.

CORRESPONDENCE: None.

PUBLIC COMMENT: None.

DIRECTOR'S REPORT: Monthly Statistics: Anna Stavinoha, Library Manager, read September's library statistics aloud to the Board. The statistics remain stable. There was a query requesting clarification of "New Adds", a number that reflects the amount of new library materials purchased each month.

Activities: Library activity sheets were handed out to Library Board members.

Staff: Gerry Ashley resigned as Assistant Librarian after 14 years. After advertising for the position and conducting interviews, Anna sent out a Conditional Offer of Employment to Lauren Morris.

Volunteer of the Month: Paul Smith has been named Volunteer of the Month. Paul recently resigned as a library volunteer after 16 years of dedicated service. This is his second recent honor as a volunteer. The Woodburn Public Library is proud to name him the Volunteer of the Month for October.

Friends of the Library: Neal Hawes, Friends of the Library Treasurer, gave an update on Friends business. A Friends Book Sale will be held on Friday, October 13th and Saturday, October 14th, from 10-5 pm. Several volunteers have helped to get the books organized for the sale. There is an over-abundance of hardbacks and videos to be sold. Paperbacks, hardbacks and videos will be sold for a quarter apiece this time. Books will be sold for \$1 a bag during the last hour on Saturday.

OLD BUSINESS:

Library Exclusion Ordinance: John Brown, City Administrator, told the Library Board that the Library Exclusion rules, discussed last month at the September Board meeting, is now an official ordinance. Copies were distributed to each Board member. Thus far, the library has not needed to make use of the Library Exclusion Ordinance. Anna informed the Board that the Chief of Police, Scott Russell, is sending an officer to train the library staff in how to best make use of the ordinance, on October 19th at an all-staff training. He will detail procedures to be followed in the future, in case the Library Ordinance needs to be invoked. A copy of the Library Ordinance is included with these minutes.

Community Services Director update: John reported that the advertised position of Community Services Director closed on September 29th. The City received 26 applications from around the country and abroad. These applications are presently being evaluated, and John reports that there are quite a few good prospects. Approximately half of the applicants will be contacted with supplemental questions. He estimates that the new Community Services Director will be chosen in about 3-4 weeks.

NEW BUSINESS:

None.

BUSINESS TO/FROM THE CITY COUNCIL AND/OR MAYOR: There is a student Library Board vacancy at present. The term for a student on the Library Board is now one year. John spoke with Woodburn's mayor, Kathy Figley, who said she would call Woodburn High School again, in an effort to contact interested teens.

ADJOURNMENT: The meeting was adjourned at 7:10 pm.

Respectfully submitted,

Vicki Musser

WOODBURN PUBLIC LIBRARY

MONTHLY REPORT FOR SEPTEMBER 2006

<u>I. CIRCULATION :</u>			<u>CURRENT</u> <u>PEOPLE COUNT</u>		
	Previous:			Previous:	
9,014	2005	10,122	15,136	2005	15,448
	2004	11,359		2004	15,913
	2003	10,753		2003	18,008

In-House Use: 1,781

II. INTERLIBRARY LOAN

Books Loaned: 1,378

CCRLS: 1,376

All in-state: 1
Out-of-state: 1

Books Borrowed: 1,084

CCRLS: 1,077

All in-state: 6
Out-of-state: 1

III. REFERENCE

	<u>Woodburn</u>	<u>Referrals</u>	<u>Other</u>	<u>Total</u>
2006	492	9	498	999
2005	502	1	460	963
2004	793	12	721	1,526
2003	841	37	929	1,807

Database Usage:	<u>2006</u>	<u>2005</u>	<u>2004</u>
(Not all databases included)	240	429	605

IV. COMPUTER USAGE

	<u>2006</u>	<u>2005</u>		<u>2006</u>	<u>2005</u>
Adults: Average # sessions:	3,970	n/a	Average session length:	23.8 minutes	n/a
Children	780	839	Avg/open hrs	3.25	4.00

V. LIBRARY SPONSORED PROGRAMS

Adults:	0	No. Attending:	0
Children:	9	No. Attending:	219

VI. VOLUNTEER HOURS WORKED:

144.75 HOURS

VII. FINANCE

\$1,299.87

New Adds: 240

PATRON LOAN COUNT

8,655

September 2006

PEOPLE VISITING THE LIBRARY- SEPTEMBER 2

<u>DATE</u>		<u>WEST DOOR</u> <u>UNIT #1</u>	<u>EAST DOOR</u> <u>UNIT #2</u>	<u>TOTAL</u>	<u>DIVIDED</u> <u>BY 2</u>	<u>LESS</u> <u>2%</u>	<u>ADJUSTED</u> <u>TOTAL</u>
Friday	1	396	304	700	350	14	350
Saturday	2	0	0	0	0	0	0
Sunday	3	0	0	0	0	0	0
Monday	4	0	0	0	0	0	0
Tuesday	5	820	460	1280	640	26	640
Wednesday	6	690	495	1185	593	24	593
Thursday	7	656	397	1053	527	21	527
Friday	8	510	292	802	401	16	401
Saturday	9	588	438	1026	513	21	513
Sunday	10	325	230	555	278	11	278
Monday	11	1443	826	2269	1135	45	1135
Tuesday	12	876	402	1278	639	26	639
Wednesday	13	869	503	1372	686	27	686
Thursday	14	644	496	1140	570	23	570
Friday	15	533	223	756	378	15	378
Saturday	16	497	361	858	429	17	429
Sunday	17	296	266	562	281	11	281
Monday	18	835	459	1294	647	26	647
Tuesday	19	790	562	1352	676	27	676
Wednesday	20	725	550	1275	638	26	638
Thursday	21	778	596	1374	687	27	687
Friday	22	495	596	1091	546	22	546
Saturday	23	778	852	1630	815	33	815
Sunday	24	659	589	1248	624	25	624
Monday	25	268	230	498	249	10	249
Tuesday	26	590	620	1210	605	24	605
Wednesday	27	794	449	1243	622	25	622
Thursday	28	683	591	1274	637	25	637
Friday	29	702	350	1052	526	21	526
Saturday	30	573	321	894	447	18	447
TOTALS:		17,813	12,458	30,271	15,136	605	15,136

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CITY OF WOODBURN

CHECK REGISTER

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CHECK #	CHECK DATE	PAYEE NAME	STATUS	UPDATED	CHECK AMOUNT	RECONCILED AMT	DIFFERENCE
BANK ACCOUNT: AP A/P		Accounts Payable					
85611	9/29/2006	EAGLE WEB PRESS INC	RECONCILED	YES	1,000.00	1,000.00	.00
85612	9/29/2006	EBS	RECONCILED	YES	495.97	495.97	.00
85613	9/29/2006	JEFFERSON PILOT FINANCIAL	RECONCILED	YES	212.76	212.76	.00
85614	9/29/2006	LINDA SPROUER	RECONCILED	YES	1,158.32	1,158.32	.00
85615	9/29/2006	VALLEY MAILING SERVICE IN	RECONCILED	YES	861.75	861.75	.00
85616	9/08/2006	A-QUALITY TYPEWRITER & CA	RECONCILED	YES	68.50	68.50	.00
85617	9/08/2006	ACE CHEMICAL TOILETS	RECONCILED	YES	140.00	140.00	.00
85618	9/08/2006	ALLIED WASTE SERVICES	RECONCILED	YES	3,029.45	3,029.45	.00
85619	9/08/2006	ANN FINCH	RECONCILED	YES	2,200.00	2,200.00	.00
85620	9/08/2006	ARAMARK UNIFORM SERVICE I	RECONCILED	YES	916.14	916.14	.00
85621	9/08/2006	ARCH WIRELESS	RECONCILED	YES	52.53	52.53	.00
85622	9/08/2006	AT & T	RECONCILED	YES	23.83	23.83	.00
85623	9/08/2006	AWARDS AND ATHLETICS	RECONCILED	YES	658.15	658.15	.00
85624	9/08/2006	BANK OF AMERICA	RECONCILED	YES	56,933.07	56,933.07	.00
85625	9/08/2006	BEST WESTERN	RECONCILED	YES	74.80	74.80	.00
85626	9/08/2006	BEULAH JORDAN	RECONCILED	YES	35.00	35.00	.00
85627	9/08/2006	BI-MART CORPORATION	RECONCILED	YES	299.07	299.07	.00
85628	9/08/2006	BRATTAIN INT'L TRUCKS	RECONCILED	YES	11.51	11.51	.00
85629	9/08/2006	CDW GOVERNMENT INC	RECONCILED	YES	406.02	406.02	.00
85630	9/08/2006	CHARLOTTE CHAMBERLAIN	RECONCILED	YES	29.99	29.99	.00
85631	9/08/2006	CHEHALEM PARKS AND RECREA	RECONCILED	YES	900.00	900.00	.00
85632	9/08/2006	CH2M-HILL INC	RECONCILED	YES	45,821.94	45,821.94	.00
85633	9/08/2006	CITY OF TUALATIN	RECONCILED	YES	153.45	153.45	.00
85634	9/08/2006	COASTAL FARM HOME SUPPLY	RECONCILED	YES	533.65	533.65	.00
85635	9/08/2006	COOKE STATIONERY COMPANY	RECONCILED	YES	227.73	227.73	.00
85636	9/08/2006	CORPORATE EXPRESS	RECONCILED	YES	789.89	789.89	.00
85637	9/08/2006	DAMIAN TORREZ	RECONCILED	YES	800.00	800.00	.00
85638	9/08/2006	DAVISON AUTO PARTS	RECONCILED	YES	67.82	67.82	.00
85639	9/08/2006	DELL MARKETING L.P.	RECONCILED	YES	7,963.00	7,963.00	.00
85640	9/08/2006	DENTSPLY INTL/CERAMCO DIV	RECONCILED	YES	47.71	47.71	.00
85641	9/08/2006	ERNST HARDWARE	RECONCILED	YES	342.28	342.28	.00
85642	9/08/2006	FALCON ASSOCIATES INC	RECONCILED	YES	90.00	90.00	.00
85643	9/08/2006	FARMWORKERS HOUSING DEVEL	RECONCILED	YES	1,228.50	1,228.50	.00
85644	9/08/2006	FERGUSON ENTERPRISES INC	RECONCILED	YES	1,896.66	1,896.66	.00
85645	9/08/2006	FIRST STUDENT INC	RECONCILED	YES	271.80	271.80	.00
85646	9/08/2006	FISHER'S SUPPLY INC	RECONCILED	YES	137.68	137.68	.00
85647	9/08/2006	G.W. HARDWARE CENTER	RECONCILED	YES	559.98	559.98	.00
85648	9/08/2006	GRAINGER INC	RECONCILED	YES	490.00	490.00	.00
85649	9/08/2006	GRAVES CONTRACTING INC	RECONCILED	YES	260.33	260.33	.00
85650	9/08/2006	GROUP MACKENZIE ENGR INC	RECONCILED	YES	3,600.00	3,600.00	.00
85651	9/08/2006	HEIDI LEAL	RECONCILED	YES	12,808.09	12,808.09	.00
85652	9/08/2006	IKON OFFICE SOLUTIONS	RECONCILED	YES	900.00	900.00	.00
85653	9/08/2006	INDUSTRIAL WELDING SUPPLY	RECONCILED	YES	298.18	298.18	.00
85654	9/08/2006	ISOLUTIONS CONSULTING INC	RECONCILED	YES	6.48	6.48	.00
85655	9/08/2006	ITT FLVGT CORPORATION	RECONCILED	YES	300.00	300.00	.00
85656	9/08/2006	J. THAYER COMPANY	RECONCILED	YES	2,491.41	2,491.41	.00
85657	9/08/2006	JACK RAWLINGS	RECONCILED	YES	2,350.00	2,350.00	.00
85658	9/08/2006	JAMES A LIND, SR	RECONCILED	YES	291.35	291.35	.00
85659	9/08/2006	JCL INDUSTRIAL INC	RECONCILED	YES	60.00	60.00	.00
85660	9/08/2006	JOBS AVAILABLE	RECONCILED	YES	3,750.00	3,750.00	.00
85661	9/08/2006	KENNEDY JENKS CONSULT INC	RECONCILED	YES	204.00	204.00	.00
85662	9/08/2006		RECONCILED	YES	10,514.15	10,514.15	.00

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DATE 10/16/06
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C I T Y O F W O O D B U R N

CHECK REGISTER

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CHECK #	CHECK DATE	PAYEE NAME	STATUS	UPDATED	CHECK AMOUNT	RECONCILED AMT	DIFFERENCE
85663	9/08/2006	LA GRANDE INDUSTRIAL	RECONCILED	YES	54.00	54.00	.00
85664	9/08/2006	LAB SAFETY SUPPLY	RECONCILED	YES	359.58	359.58	.00
85665	9/08/2006	LAWRENCE PARADIS	RECONCILED	YES	90.00	90.00	.00
85666	9/08/2006	LECOR TECHNOLOGY LLC	RECONCILED	YES	707.50	707.50	.00
85667	9/08/2006	LES SCHWAB TIRE CENTER	RECONCILED	YES	706.57	706.57	.00
85668	9/08/2006	LONG BROS BUILDING SUPPLY	RECONCILED	YES	77.93	77.93	.00
85671	9/08/2006	METROFUELING INC	RECONCILED	YES	3,932.78	3,932.78	.00
85672	9/08/2006	NET ASSETS CORPORATION	RECONCILED	YES	891.00	891.00	.00
85673	9/08/2006	NORCOM	RECONCILED	YES	813.47	813.47	.00
85674	9/08/2006	NORTHSTAR CHEMICAL INC	RECONCILED	YES	9,526.95	9,526.95	.00
85675	9/08/2006	NORTHWEST NATURAL GAS	RECONCILED	YES	3,945.66	3,945.66	.00
85676	9/08/2006	OFFICE DEPOT	RECONCILED	YES	99.49	99.49	.00
85677	9/08/2006	OR DEPT OF ADMINISTRATIVE	RECONCILED	YES	35.00	35.00	.00
85679	9/08/2006	OR DEPT OF TRANSPORTATION	RECONCILED	YES	15.00	15.00	.00
85680	9/08/2006	PHILIP ROMEO AND/OR RUTH	RECONCILED	YES	5,695.00	5,695.00	.00
85681	9/08/2006	PORTLAND GENERAL ELECTRIC	RECONCILED	YES	54,890.53	54,890.53	.00
85682	9/08/2006	PORTLAND GENERAL ELECTRIC	RECONCILED	YES	3,990.82	3,990.82	.00
85683	9/08/2006	PRECISION AMMUNITION LLC	RECONCILED	YES	11,750.00	11,750.00	.00
85684	9/08/2006	PRIMA OREGON CHAPTER	RECONCILED	YES	130.00	130.00	.00
85685	9/08/2006	PREQUEST INFORMATION AND	RECONCILED	YES	145.79	145.79	.00
85686	9/08/2006	QUALIFICATION TARGETS	RECONCILED	YES	493.48	493.48	.00
85687	9/08/2006	QWEST	RECONCILED	YES	166.70	166.70	.00
85688	9/08/2006	QWEST	RECONCILED	YES	1,068.51	1,068.51	.00
85689	9/08/2006	SANDY ARELLANO	RECONCILED	YES	100.00	100.00	.00
85690	9/08/2006	SCHETKY NORTHWEST SALES	RECONCILED	YES	40.85	40.85	.00
85691	9/08/2006	SIERRA SPRINGS	RECONCILED	YES	118.19	118.19	.00
85692	9/08/2006	SPRINT	RECONCILED	YES	149.80	149.80	.00
85693	9/08/2006	STAN & PATTI MILNE	RECONCILED	YES	230.00	230.00	.00
85694	9/08/2006	TECHNOCOM INC	RECONCILED	YES	33,208.11	33,208.11	.00
85695	9/08/2006	TESTAMERICA ANALYTICAL TE	RECONCILED	YES	180.00	180.00	.00
85696	9/08/2006	TIM'S DIESEL	RECONCILED	YES	512.66	512.66	.00
85697	9/08/2006	UNEQUALLED JANITORIAL SVC	RECONCILED	YES	438.00	438.00	.00
85698	9/08/2006	VALLEY RIVER INN	RECONCILED	YES	101.66	101.66	.00
85699	9/08/2006	VWR INTERNATIONAL INC	RECONCILED	YES	10,217.59	10,217.59	.00
85700	9/08/2006	WESCO DISTRIBUTION INC	RECONCILED	YES	1,272.23	1,272.23	.00
85701	9/08/2006	WEST YOST ASSOCIATES	RECONCILED	YES	596.40	596.40	.00
85702	9/08/2006	WESTERN BANK OF CHINOOK N	RECONCILED	YES	4,912.50	4,912.50	.00
85703	9/08/2006	WESTERN CITY MAGAZINE	RECONCILED	YES	369.00	369.00	.00
85704	9/08/2006	WOODBURN FAMILY MEDICINE	RECONCILED	YES	245.00	245.00	.00
85705	9/08/2006	WOODBURN FERTILIZER	RECONCILED	YES	259.23	259.23	.00
85706	9/08/2006	WOODBURN INDEPENDENT	RECONCILED	YES	42.00	42.00	.00
85707	9/08/2006	XEROX CORPORATION	RECONCILED	YES	407.86	407.86	.00
85708	9/08/2006	YES GRAPHICS	RECONCILED	YES	863.50	863.50	.00
85709	9/29/2006	PETTY CASH	RECONCILED	YES	161.02	161.02	.00
85710	9/29/2006	DAMIAN TORREZ	RECONCILED	YES	2,400.00	2,400.00	.00
85711	9/29/2006	INTL MUNICIPAL LAWYERS AS	RECONCILED	YES	50.00	50.00	.00
85712	9/29/2006	VEE OTT	RECONCILED	YES	325.00	325.00	.00
85713	9/29/2006	WBN COMMUNITY ACCESS TV I	RECONCILED	YES	2,732.43	2,732.43	.00
85714	9/29/2006	VALLEY MAILING SERVICE IN	RECONCILED	YES	664.65	664.65	.00
85716	9/22/2006	A-1 COUPLING	RECONCILED	YES	841.82	841.82	.00
85718	9/22/2006	AFRICAN AMERICAN PUBLICAT	RECONCILED	YES	425.00	425.00	.00
85721	9/22/2006	ARAMARK UNIFORM SERVICE I	RECONCILED	YES	190.59	190.59	.00
85722	9/22/2006	ARCH WIRELESS	RECONCILED	YES	47.06	47.06	.00

WOODBURN LIVE
DATE 10/16/06
TIME 11:05:27

CITY OF WOODBURN

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VEBOT

CHECK #	CHECK DATE	PAYEE NAME	STATUS	UPDATED	CHECK AMOUNT	RECONCILED AMT	DIFFERENCE
85723	9/22/2006	AT&T	RECONCILED	YES	77.26	77.26	.00
85724	9/22/2006	AWWA	RECONCILED	YES	288.00	288.00	.00
85725	9/22/2006	BARKER SURVEYING CORP	RECONCILED	YES	480.00	480.00	.00
85726	9/22/2006	BRANDY GRAFF	RECONCILED	YES	48.25	48.25	.00
85727	9/22/2006	BRINKS HOME SECURITY	RECONCILED	YES	31.99	31.99	.00
85728	9/22/2006	CDM GOVERNMENT INC	RECONCILED	YES	311.77	311.77	.00
85730	9/22/2006	COOKE STATIONERY COMPANY	RECONCILED	YES	346.77	346.77	.00
85731	9/22/2006	COVANTA MARION INC	RECONCILED	YES	246.00	246.00	.00
85732	9/22/2006	DAILY JOURNAL OF COMMERCE	RECONCILED	YES	240.88	240.88	.00
85734	9/22/2006	DP NORTHWEST INC	RECONCILED	YES	3,618.00	3,618.00	.00
85735	9/22/2006	EASYSTREET ONLINE SERVICE	RECONCILED	YES	188.35	188.35	.00
85736	9/22/2006	ENTRANCE CONTROLS INC	RECONCILED	YES	28,338.00	28,338.00	.00
85737	9/22/2006	ERNIE GRAHAM OIL INC	RECONCILED	YES	1,219.15	1,219.15	.00
85738	9/22/2006	F&W FENCE CO	RECONCILED	YES	470.79	470.79	.00
85740	9/22/2006	FEDERAL COMPANY	RECONCILED	YES	43.83	43.83	.00
85741	9/22/2006	FEDERAL EXPRESS CORP	RECONCILED	YES	221.02	221.02	.00
85743	9/22/2006	FOOD SERVICES OF AMERICA	RECONCILED	YES	449.70	449.70	.00
85744	9/22/2006	FRANK SUTTER	RECONCILED	YES	44.27	44.27	.00
85745	9/22/2006	FRY'S ELECTRONICS	RECONCILED	YES	370.76	370.76	.00
85746	9/22/2006	GALE GROUP	RECONCILED	YES	68.11	68.11	.00
85747	9/22/2006	GENERAL ELECTRIC CAPITAL	RECONCILED	YES	171.49	171.49	.00
85748	9/22/2006	GEENGINEERS INC	RECONCILED	YES	269.80	269.80	.00
85749	9/22/2006	HACH CHEMICAL CO	RECONCILED	YES	1,803.60	1,803.60	.00
85750	9/22/2006	HALTON COMPANY	RECONCILED	YES	1,013.50	1,013.50	.00
85751	9/22/2006	HANSON SUPPLY CO	RECONCILED	YES	311.74	311.74	.00
85752	9/22/2006	HARRINGTON INDUSTRIAL PLA	RECONCILED	YES	70.06	70.06	.00
85753	9/22/2006	HUBBARD CHEVROLET	RECONCILED	YES	1,860.64	1,860.64	.00
85754	9/22/2006	IKON OFFICE SOLUTIONS	RECONCILED	YES	958.85	958.85	.00
85755	9/22/2006	IKON OFFICE SOLUTIONS	RECONCILED	YES	75.71	75.71	.00
85756	9/22/2006	INDUSTRIAL GASKETTE	RECONCILED	YES	255.37	255.37	.00
85757	9/22/2006	INGRAM DIST GROUP	RECONCILED	YES	375.89	375.89	.00
85758	9/22/2006	ISOLUTIONS CONSULTING INC	RECONCILED	YES	270.00	270.00	.00
85759	9/22/2006	ITT FLGCT CORPORATION	RECONCILED	YES	4,345.70	4,345.70	.00
85760	9/22/2006	J. THAYER COMPANY	RECONCILED	YES	1,154.28	1,154.28	.00
85761	9/22/2006	JACK RAWLINGS	RECONCILED	YES	44.40	44.40	.00
85764	9/22/2006	JOHNNY GUZMAN	RECONCILED	YES	325.00	325.00	.00
85765	9/22/2006	KENNEDY JENKS CONSULT INC	RECONCILED	YES	909.31	909.31	.00
85767	9/22/2006	KJM PROGRAM & CONSTRUCTIO	RECONCILED	YES	12,930.86	12,930.86	.00
85768	9/22/2006	LANGUAGE LINE SERVICES	RECONCILED	YES	113.38	113.38	.00
85769	9/22/2006	LAZERQUICK INC	RECONCILED	YES	204.75	204.75	.00
85770	9/22/2006	LES SCHWAB TIRE CENTER	RECONCILED	YES	30.20	30.20	.00
85773	9/22/2006	MARION COUNTY BLDG INSPEC	RECONCILED	YES	263.62	263.62	.00
85774	9/22/2006	MARION COUNTY CLERK	RECONCILED	YES	230.00	230.00	.00
85775	9/22/2006	MARION COUNTY TREASURY DE	RECONCILED	YES	1,300.00	1,300.00	.00
85777	9/22/2006	MARY P BOOTH	RECONCILED	YES	185.00	185.00	.00
85778	9/22/2006	MATTHEW BENDER LEXISNEXIS	RECONCILED	YES	1,151.79	1,151.79	.00
85779	9/22/2006	MAYES TESTING ENGINEERS I	RECONCILED	YES	1,410.50	1,410.50	.00
85780	9/22/2006	MSI GROUP INC	RECONCILED	YES	400.00	400.00	.00
85782	9/22/2006	NEXUS IS INC	RECONCILED	YES	25,254.74	25,254.74	.00
85783	9/22/2006	NORCOM	RECONCILED	YES	25,047.67	25,047.67	.00
85786	9/22/2006	OCLC	RECONCILED	YES	999.10	999.10	.00
85788	9/22/2006	OFFICE DEPOT	RECONCILED	YES	217.16	217.16	.00
85789	9/22/2006	OR DEPT OF MOTOR VEHICLE	RECONCILED	YES	34.50	34.50	.00

WOODBURN LIVE
DATE 10/16/06
TIME 11:05:27

CITY OF WOODBURN

PAGE 4
AP0460
VEEOT

CHECK REGISTER

CHECK #	CHECK DATE	PAYEE NAME	STATUS	UPDATED	CHECK AMOUNT	RECONCILED AMT	DIFFERENCE
85790	9/22/2006	OR DEPT OF TRANSPORTATION	RECONCILED	YES	121.75	121.75	.00
85791	9/22/2006	OR MUNICIPAL FINANCE OFF	RECONCILED	YES	250.00	250.00	.00
85792	9/22/2006	OR RECREATION & PARKS ASS	RECONCILED	YES	49.00	49.00	.00
85797	9/22/2006	PORTLAND GENERAL ELECTRIC	RECONCILED	YES	16,110.86	16,110.86	.00
85799	9/22/2006	QWEST	RECONCILED	YES	1,855.38	1,855.38	.00
85801	9/22/2006	R.B. & G. CONSTRUCTION, LL	RECONCILED	YES	384,717.89	384,717.89	.00
85802	9/22/2006	RECORDED BOOKS INC	RECONCILED	YES	29.25	29.25	.00
85803	9/22/2006	RENAISSANCE CUSTOM HOMES	RECONCILED	YES	104.81	104.81	.00
85804	9/22/2006	RONALD PALMER	RECONCILED	YES	205.75	205.75	.00
85805	9/22/2006	S&S WORLDWIDE INC	RECONCILED	YES	781.18	781.18	.00
85806	9/22/2006	SALEM PRINTING-BLUEPRINT	RECONCILED	YES	192.00	192.00	.00
85807	9/22/2006	SANDRA KINNEY	RECONCILED	YES	100.00	100.00	.00
85809	9/22/2006	SPACESAVER SPECIALISTS	RECONCILED	YES	130,129.99	130,129.99	.00
85810	9/22/2006	STATESMAN-JOURNAL NEWSPAP	RECONCILED	YES	62.40	62.40	.00
85812	9/22/2006	TESTAMERICA ANALYTICAL TE	RECONCILED	YES	180.00	180.00	.00
85813	9/22/2006	THOMAS BOURGEGY & CO INC	RECONCILED	YES	138.50	138.50	.00
85815	9/22/2006	TOURANGEAU NOR WES	RECONCILED	YES	589.47	589.47	.00
85816	9/22/2006	UNION PACIFIC RAILROAD CO	RECONCILED	YES	3,582.16	3,582.16	.00
85817	9/22/2006	VERIZON WIRELESS	RECONCILED	YES	80.65	80.65	.00
85818	9/22/2006	VHPS - ACCOUNTS RECEIVABL	RECONCILED	YES	194.50	194.50	.00
85819	9/22/2006	VMR INTERNATIONAL INC	RECONCILED	YES	635.31	635.31	.00
85820	9/22/2006	WATER TRUCK SERVICE INC	RECONCILED	YES	4,959.50	4,959.50	.00
85821	9/22/2006	WEST CIRCLE BOOKS	RECONCILED	YES	370.81	370.81	.00
85822	9/22/2006	WILLAMETTE VALLEY SECURIT	RECONCILED	YES	59.85	59.85	.00
85823	9/22/2006	WILSONVILLE LOCK WORKS	RECONCILED	YES	14.00	14.00	.00
85824	9/22/2006	XTREME COATINGS	RECONCILED	YES	320.00	320.00	.00
85825	9/22/2006	YES GRAPHICS	RECONCILED	YES	4,067.87	4,067.87	.00
85826	9/22/2006	YOUNGMAN LOCKE ENGINEERS	RECONCILED	YES	415.00	415.00	.00
186 CHECKS							
BANK AP TOTAL:					1,001,860.24	1,001,860.24	.00

RECONCILED . . . : 186 CHECKS 1,001,860.24
NOT RECONCILED . . . : CHECKS .00
VOIDED . . . : CHECKS .00
UPDATED . . . : 186 CHECKS 1,001,860.24
NOT UPDATED . . . : CHECKS .00

October 17, 2006

TO: Mayor and City Council through City Administrator

FROM: Scott Russell, Chief of Police *SR*

SUBJECT: **Police Department Statistics – September 2006**

RECOMMENDATION:

Receive the Report

BACKGROUND:

The attached report lists year to date reported offenses and arrests displayed by month.

DISCUSSION:

The statistics have been gathered from the Police Departments Records Management System. The Previous year's statistics are also displayed for comparison purposes.

FINANCIAL IMPACT:

None

Agenda Item Review:

City Administrator *SR*

City Attorney *SR*

Finance *Ben*

MONTHLY CRIMINAL OFFENSES FOR JANUARY THRU SEPTEMBER 2006
RESULTS FOR ALL OFFENSES

Woodburn Police Dept.
DATE: 10/17/2006
TIME: 14:46:46
ORI#: CR0240500 WPD
DATE USED: OFFENSE DATE

CHARGE DESCRIPTION	JAN	FEB	MAR	APR	MAY	JUN	JULY	AUG	SEP	TOTAL
AGGRAVATED ASSAULT	2	2	1	1	5	3	2	1	1	18
ANIMAL ORDINANCES	4	6	2	4	2	0	2	2	0	22
ARSON	0	0	0	0	0	0	1	2	0	3
ASSAULT SIMPLE	14	19	21	17	9	22	20	10	15	147
BRIEBERY - BUSINESS	8	5	7	3	3	2	1	0	1	1
BURGLARY - OTHER STRUCTURE	3	3	3	5	3	4	2	0	2	30
BURGLARY - RESIDENCE	2	1	9	11	7	3	3	4	6	46
CHILD NEGLECT	0	0	1	4	1	0	0	0	0	6
CITY ORDINANCE	1	2	1	1	1	1	1	1	3	12
CRIME DAMAGE-NO VANDALISM OR ARSON	39	21	38	34	29	17	10	7	14	209
CURFEW	0	2	0	0	1	0	1	0	3	7
CUSTODIAL INTERFERENCE	0	1	0	0	0	1	0	0	1	3
CUSTODY - DETOX	2	0	3	2	3	1	1	3	2	17
CUSTODY - MENTAL	2	0	2	0	1	1	2	1	0	9
CUSTODY - PROTECTIVE	0	1	0	1	0	1	1	1	0	5
DISORDERLY CONDUCT	1	7	6	5	5	7	7	6	8	52
DRINKING IN PUBLIC	0	0	0	0	1	0	0	0	0	1
DRIVING UNDER INFLUENCE	12	7	15	15	12	12	24	19	8	124
DRUG LAW VIOLATIONS	14	15	31	24	15	21	18	36	16	190
DWS/REVOKED - FELONY	0	1	0	0	0	0	0	0	0	1
DWS/REVOKED-MISDEMEANOR	6	6	7	2	2	5	6	5	2	41
ELUDE	4	0	0	0	1	0	2	1	2	10
ESCAPE FROM YOUR CUSTODY	0	0	0	0	0	0	1	0	0	1
FAIL TO DISPLAY OPERATORS LICENSE	6	9	5	2	7	7	5	3	6	50
FAMILY-OTHER	0	0	0	0	0	0	1	2	0	3
FORCIBLE RAPE	7	5	12	3	7	4	3	2	5	48
FORGERY/COUNTERFEITING	0	0	0	0	1	0	0	0	0	1
FRAUD - ACCOUNT CLOSED CHECK	1	0	0	0	0	0	1	0	0	2
FRAUD - BY DECEPTION/FALSE PRETENSES	3	4	2	3	1	4	0	3	1	21
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	1	6	2	0	1	2	0	1	1	14
FRAUD - IMPERSONATION	1	0	1	0	0	0	0	0	0	3
FRAUD - NOT SUFFICIENT FUNDS CHECK	1	0	1	0	0	0	0	0	0	3
FRAUD - OF SERVICES/FALSE PRETENSES	0	0	1	1	0	0	0	0	0	3
FRAUD-OTHER	0	0	0	0	0	1	0	0	0	1
FUGITIVE ARREST FOR ANOTHER AGENCY	42	36	43	37	34	41	31	37	37	338
FURNISHING	0	1	1	1	1	0	2	0	2	8
GARBAGE LITTERING	0	0	0	1	1	1	0	0	3	6
HIT AND RUN FELONY	1	0	0	2	2	2	0	0	2	9
ILLEGAL ALIEN - INS HOLD	17	14	9	16	11	13	16	17	10	123
HIT AND RUN-MISDEMEANOR	0	0	0	0	0	2	0	0	0	2
INTIMIDATION /OTHER CRIMINAL THREAT	0	0	0	0	0	2	1	0	4	8
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	9	0	1	1	0	0	0	0	0	3
LICENSING ORDINANCES	0	2	2	0	0	3	0	1	0	8
MINOR IN POSSESSION	0	0	4	3	0	5	3	0	4	22
MINOR ON PREMISES	0	0	0	1	0	0	0	0	0	1
MISCELLANEOUS	6	11	9	8	9	11	5	6	5	70
MOTOR VEHICLE THEFT	10	8	13	3	9	16	10	7	9	75
NEGLIGENT HOMICIDE - TRAFFIC	0	0	0	0	1	0	0	0	0	1
OTHER	15	16	18	19	8	5	14	8	12	115
PROPERTY - FOUND LOST MISLAID	25	22	28	29	36	21	29	36	20	246

MONTHLY CRIMINAL OFFENSES FOR JANUARY THRU SEPTEMBER 2006
RESULTS FOR ALL OFFENSES

CHARGE DESCRIPTION	JAN	FEB	MAR	APR	MAY	JUN	JULY	AUG	SEP	TOTAL
PROPERTY RECOVER FOR OTHER AGENCY	2	0	1	0	0	0	1	0	0	4
PROSTITUTION - ENGAGE IN	0	0	0	0	0	1	1	1	0	3
PUBLIC HEALTH AND SAFETY ORDINANCES	10	15	17	16	22	22	46	8	6	162
RECKLESS DRIVING	2	0	0	0	5	0	2	2	1	12
ROBBERY - BUSINESS	0	0	1	0	0	0	0	1	1	3
ROBBERY - HIGHWAY	0	0	0	1	1	0	0	0	0	2
ROBBERY - OTHER	0	0	2	0	0	2	0	4	1	9
RUNAWAY	5	13	7	10	4	4	7	5	3	58
SEX CRIME - CONTRIBUTE TO SEX DELINQUENCY	0	0	1	3	1	0	1	3	1	10
SEX CRIME - EXPOSER	0	0	0	0	1	0	0	0	0	1
SEX CRIME - FORCIBLE SODOMY	0	0	1	0	0	0	0	0	0	1
SEX CRIME - MOLEST (PHYSICAL)	2	1	2	4	4	1	2	1	2	19
SEX CRIME - NON FORCE SODOMY	0	0	0	0	0	1	0	0	1	2
SEX CRIME - NON FORCE RAPE	2	0	0	1	0	0	0	0	0	3
SEX CRIME - OBSCENE PHONE CALL	1	1	0	1	0	0	0	0	0	3
SEX CRIME - OTHER	0	0	1	0	1	0	0	0	0	2
SEX CRIME - PORNOGRAPHY/OBSCENE MATERIAL	0	0	0	0	0	1	0	0	0	1
SEX CRIME - STALKER	0	0	0	0	1	0	0	0	0	1
STOLEN PROPERTY - RECEIVING, BUYING, POSSESSING	1	1	3	3	1	1	1	0	3	14
SUICIDE	0	0	0	0	0	1	0	0	0	1
THEFT - BICYCLE	0	3	2	2	4	1	5	10	6	33
THEFT - BUILDING	2	3	3	1	1	2	1	0	2	15
THEFT - FROM MOTOR VEHICLE	47	56	41	42	29	19	12	4	16	266
THEFT - MOTOR VEHICLE PARTS/ACCESSORIES	22	15	13	16	15	6	4	3	3	97
THEFT - OTHER	5	10	11	19	7	13	25	11	9	110
THEFT - PICKPOCKET	0	0	1	0	0	1	1	0	0	3
THEFT - PURSE SNATCH	1	0	0	0	0	3	0	0	0	4
THEFT - SHOPLIFT	6	3	3	3	6	7	7	7	6	48
TRAFFIC ORDINANCES	0	1	4	5	1	0	1	0	0	12
TRAFFIC VIOLATIONS	13	15	14	3	16	13	28	13	10	125
TRESPASS	7	4	9	10	11	8	7	5	8	69
VANDALISM	49	42	47	44	34	34	36	32	23	341
VEHICLE RECOVERED FOR OTHER AGENCY	4	1	3	4	3	0	1	7	4	27
WARRANT ARREST FOR OUR AGENCY	0	2	0	0	3	0	2	2	0	9
WEAPON - CARRY CONCEALED	2	1	1	4	2	1	2	1	1	15
WEAPON - EX FELON IN POSSESSION	0	0	1	0	0	0	0	0	0	1
WEAPON - POSSESS ILLEGAL	0	0	2	1	2	0	1	0	0	6
ZONING ORDINANCE	2	5	5	4	2	3	2	3	1	27
TOTAL	443	430	499	461	411	377	426	343	313	3703

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Woodburn Police Dept.
DATE: 10/17/2006
TIME: 14:46:35
ORI#: OR0240500 WPD

MONTHLY ARRESTS BY OFFENSE FOR JANUARY THRU SEPTEMBER 2006
RESULTS FOR ALL CHARGES

CHARGE DESCRIPTION	JAN	FEB	MAR	APR	MAY	JUN	JULY	AUG	SEP	TOTAL
AGGRAVATED ASSAULT	3	1	5	0	1	5	3	4	1	23
AGGRAVATED MURDER	0	0	0	0	0	0	0	0	0	0
ANIMAL ORDINANCES	0	1	0	0	0	0	0	0	0	1
ARSON	15	11	22	16	6	18	19	9	11	127
ASSAULT SIMPLE	0	0	0	0	0	0	0	0	0	0
ATTEMPTED MURDER	0	0	0	0	0	0	0	0	0	0
BOMB THREAT	0	0	0	0	0	0	0	0	1	1
BRIBERY	0	0	0	0	0	0	0	0	0	0
BURGLARY - BUSINESS	0	0	0	0	2	2	2	0	0	6
BURGLARY - OTHER STRUCTURE	0	1	0	3	0	0	0	0	0	4
BURGLARY - RESIDENCE	3	0	0	4	0	1	0	0	1	9
CHILD ADBANDONMENT	0	0	0	0	0	0	0	0	0	0
CHILD NEGLECT	1	0	1	3	1	0	0	0	0	6
CITY ORDINANCE	0	0	1	0	0	1	0	0	1	3
CRIME DAMAGE-NO VANDALISM OR ARSON	1	0	2	4	1	3	6	3	0	20
CURFEW	0	2	0	0	1	0	1	0	3	7
CUSTODIAL INTERFERENCE	0	1	0	0	0	1	0	0	1	3
CUSTODY - DETOX	2	0	3	2	3	3	1	3	2	19
CUSTODY - MENTAL	2	0	2	0	1	1	2	1	0	9
CUSTODY - PROTECTIVE	0	1	0	5	0	1	3	1	0	11
DISORDERLY CONDUCT	2	7	12	10	6	14	16	8	9	84
DOCUMENTATION	0	0	0	0	0	0	0	0	0	0
DRINKING IN PUBLIC	0	0	0	0	2	0	0	0	0	2
DRIVING UNDER INFLUENCE	12	7	15	15	12	11	24	19	8	123
DRUG LAW VIOLATIONS	16	16	44	25	23	26	22	48	17	237
DRUG PARAPHERNALIA	0	0	0	0	0	0	0	0	0	0
DWS/REVOKED - FELONY	0	1	0	0	0	0	0	0	0	1
DWS/REVOKED - MISDEMEANOR	8	6	7	2	2	4	6	4	2	41
ELUDE	5	0	0	0	1	0	2	1	2	11
EMBEZZLEMENT	0	0	0	0	0	0	0	0	0	0
ESCAPE FROM YOUR CUSTODY	0	0	0	1	1	0	1	0	0	3
EXTORTION/BLACKMAIL	0	0	0	0	0	0	0	0	0	0
FAIL TO DISPLAY OPERATORS LICENSE	6	9	5	3	7	8	5	3	8	54
FAMILY-OTHER	0	0	0	0	0	1	3	1	0	5
FORCIBLE RAPE	0	0	0	0	0	0	0	0	0	0
FORGERY/COUNTERFEITING	0	1	6	3	7	4	0	2	1	24
FRAUD - ACCOUNT CLOSED CHECK	0	0	0	0	0	0	0	0	0	0
FRAUD - BY DECEPTION/FALSE PRETENSES	0	0	0	0	0	0	1	0	0	2
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	0	1	0	0	0	0	3	0	1	11
FRAUD - IMPERSONATION	0	1	2	0	3	0	0	0	0	6
FRAUD - NOT SUFFICIENT FUNDS CHECK	0	0	0	0	0	0	0	0	0	0
FRAUD - OF SERVICES/FALSE PRETENSES	0	0	0	0	0	0	0	0	0	0
FRAUD - WIRE	0	0	0	0	0	0	0	0	0	0
FRAUD-OTHER	0	0	0	0	0	0	1	0	0	1
FUGITIVE ARREST FOR ANOTHER AGENCY	44	42	48	48	36	45	34	43	42	382
FURNISHING	0	1	1	2	1	0	2	0	3	10
GAMBLING - GAMES	0	0	0	0	0	0	0	0	0	0
GAMBLING - OTHER	0	0	0	0	0	0	0	0	0	0
GARBAGE LITTERING	0	0	0	2	1	1	0	0	3	7
HIT AND RUN FELONY	1	0	0	0	2	1	0	0	0	4
HIT AND RUN MISDEMEANOR	5	1	2	3	1	2	1	4	2	21
ILLEGAL ALIEN - INS HOLD	0	0	0	0	0	1	0	0	0	1

Woodburn Police Dept.
DATE: 10/17/2006
TIME: 14:46:35
ORI#: OR0240500 WPD

MONTHLY ARRESTS BY OFFENSE FOR JANUARY THRU SEPTEMBER 2006
RESULTS FOR ALL CHARGES

CHARGE DESCRIPTION	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	TOTAL
THIEF - PICKPOCKET	0	0	0	0	0	0	0	0	0	0
THIEF - PURSE SNATCH	0	0	0	0	0	0	0	0	0	0
THIEF - SHOPLIFT	6	1	4	4	10	7	6	6	5	49
TRAFFIC ORDINANCES	0	0	0	2	0	0	0	0	0	2
TRAFFIC VIOLATIONS	34	50	74	32	39	21	49	34	26	359
TRESPASS	8	5	11	11	12	6	5	4	9	71
VANDALISM	9	11	2	2	7	1	3	4	3	42
VEHICLE RECOVERD FOR OTHER AGENCY	1	0	0	0	0	0	0	1	0	2
WARRANT ARREST FOR OUR AGENCY	0	2	0	0	2	0	2	2	0	8
WEAPON - CARRY CONCEALED	1	1	1	4	2	1	2	1	1	14
WEAPON - EX FELON IN POSSESSION	0	0	3	0	0	0	0	0	0	3
WEAPON - OTHER	0	0	0	0	0	0	0	0	0	0
WEAPON - POSSESS ILLEGAL	0	0	5	2	1	0	0	0	0	8
WEAPON - SHOOTING IN PROHIBITED AREA	0	0	0	0	0	0	0	0	0	0
WILLFUL MURDER	0	0	0	0	0	0	0	0	0	0
ZONING ORDINANCE	0	0	0	0	0	0	0	0	0	0
2006 TOTAL:	213	218	322	253	223	223	268	226	191	2137
2005 TOTAL:	129	149	144	234	241	231	237	250	206	1821
2004 TOTAL:	208	194	218	195	196	221	162	198	193	1785

October 19, 2006

TO: Mayor and City Council through City Administrator

FROM: Ben Gillespie, Finance Director *Bum*

SUBJECT: **Hearing to Consider a Supplemental Budget**

RECOMMENDATION:

Council direct staff to return an ordinance reflecting the Council's decision following the hearing.

BACKGROUND:

Several items require the Council's immediate budget consideration and should not be delayed until the mid-year budget revision in January. Several less pressing budget matters have been included in this proposed budget revision, because staff is aware of the issues and there is no reason to wait until the mid year review.

DISCUSSION:

General Fund

The proposed revision to the 2006-07 budget increases Transfers to Other Funds by \$14,000 to provide for additional licenses for the Police field reporting system. The actual expenditure will be recorded in the IS Fund. Much of this expenditure will be reimbursed by the jurisdictions that will be using the licenses. The Police Department is currently discussing the terms of reimbursement with those agencies. When the agreements with the other jurisdictions have been signed, the budget will be amended to reflect the reimbursement revenue. (1)

Transfers to Other Funds is increased \$6,500 to provide for backup software and hardware for the telephone system. In upgrading the software for the telephone system, staff discovered that the hard drive for the telephone backup system was not working. As a result, settings for phone extensions and features such as Call Forwarding and Do Not Disturb were not being backed up. The problem is two fold: software and hardware. The media for the back up

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City Attorney *[Signature]*

Finance *Ben*

software was lost several years ago. That was tolerable so long as the backup system continued to work. The failure of the hard drive, however, points up the fact that the software must be replaced now. This server has been upgraded twice since the current phone system was installed. Because the software media was not available, the original hard disk was moved to the replacement PC's. The aging hard disk has now failed, and with no back up, there is not the possibility of restoring backed up data. To avoid the possibility of this occurring in the future, a more robust PC is proposed. This unit (\$3,000) would have dual hard drives and dual power supplies. If either a hard drive or a power supply failed, its partner would continue to function until the failing part could be replaced. The labor cost to manually take the data from the main switch and transcribe it onto the new PC will be \$3,500. The actual expenditure will be recorded in the General CIP Fund. (2)

Last winter replacement of the pool electric panel was estimated to cost \$16,000. When bids were opened two weeks ago, the low bid was \$24,900. PW staff does not expect prices to come down in the coming months. In order to complete the project this year, Transfers to Other Funds is increased \$9,000. The actual expenditure will be recorded in the General CIP Fund. (3)

Revenue from on-line lien searches was included in the 2006-07 budget. However, the cost of the contract service was not part of the baseline budget, and the expenses were inadvertently omitted. Other Communications in the Finance budget should be increased \$15,000 to provide for that service. (4)

Earlier this year the Parks Division secured a grant from the National Park Service Rivers and Trails Program to help get the Mill Creek Greenway development started. The \$8,200 grant will reimburse the City for the costs of creating a brochure to help generate local funds and for preliminary design costs for the Hermanson Park Complex section of the Mill Creek Greenway. (5)

It has been six years since the last compliance audits of the Transient Occupancy Tax. These audits have not produced much additional revenue, but they are instrumental in encouraging correct reporting on the motels' part. A review of the Finance work program for the current year indicates that three of the six audits could be completed this year at a cost of \$3,000. (6)

Earlier this year the City negotiated an employment contract with the Finance Director. The contract is retroactive to January 1, 2006, which results in 18 months of increased benefits being charged to the current year. The marginal cost, including benefits, is \$25,939. (7)

The compensation package negotiated between the City and the newly hired Library Manager includes relocation reimbursement up to \$2,000. The manager has presented receipts documenting \$2,322 in moving expenses. Other Professional Services in the Library budget should be increased by \$2,000. (8)

Housing Rehab Fund

When homeowners repay Housing Rehab loans, the City files a lien release with Marion County. The cost of the filing is \$21. This was not included in this year's budget. A nominal amount (\$250) is added to cover the loan repayments expected to be received this year. (9)

General CIP Fund

Transfers from Other Funds is increased \$6,500 to provide for backup software and hardware for the telephone system. In upgrading the software for the telephone system, staff discovered that the hard drive for the backup system was not working. As a result, settings for phone extensions and features such as call forwarding and do not disturb were not being backed up. The problem is two fold: software and hardware. The media for the back up software was lost several years ago. That was tolerable so long as the backup system continued to work. Now it needs to be replaced (\$3,500). Although this server has been upgraded twice since the current phone system was installed, in both cases the original hard disk was installed in the replacement PC. The aging hard disk has now failed, and with no back up, there is not the possibility of restoring backed up data. To avoid the possibility of this occurring in the future, a more robust PC is proposed. This unit (\$3,000) would have dual hard drives and dual power supplies. If either a hard drive or a power supply failed, its partner would continue to function until the failing part could be replaced. The General Fund is the source of the transfer. (2)

Last winter replacement of the pool electric panel was estimated to cost \$16,000. When bids were opened two weeks ago, the low bid was \$24,900. PW staff does not expect prices to come down in the coming months. In order to complete the project this year, Transfers from Other Funds is increased \$9,000. The General Fund is the source of the transfer. (3)

Renovation of the Library restrooms was budgeted in 2005-06 at \$6,200. The work was not completed by June 30. The carry over amount is \$2,606, which is funded from the increased Beginning Fund Balance. (10)

IS Fund

The proposed revision to the 2006-07 budget increases Transfers from Other Funds by \$14,000 to provide for additional licenses for the Police field reporting system. The General Fund is the source of the transfer. Much of this expenditure will be reimbursed by the jurisdictions that will be using the licenses. The Police Department is currently discussing the terms of reimbursement with those agencies. When the agreements with the other jurisdictions have been signed, the budget will be amended to reflect the reimbursement revenue. (1)

T & E Fund

The cost of the GIS software license is divided between Community Services and Public Works. This year the Public Works portion was inadvertently omitted. \$2,400 should be added to the T & E Fund to cover those costs. (11)

The following table is a summary of all the proposed budget changes by fund:

FUND	No.	BEGINNING FUND BALANCE	REVENUE	EXPENSES	TRANSFERS	CONTIN- GENCIES
General	001		8,200	54,139	-29,500	-75,439
Housing Rehab	137			250		-250
GF CIP	358	2,606		18,106	15,500	
IS	568			14,000	14,000	
T & E	582			2,400		-2,400
Total		2,606	8,200	88,895	0	-78,089

FINANCIAL IMPACT:

The proposed revision increases Beginning Fund Balances in all funds by \$2,606. Revenue in all funds is increased by \$8,200, and total appropriations are increased by \$88,895. Contingencies in all funds are decreased \$78,089.

Contingencies in the General Fund decrease \$75,439 to \$803,787, which is 8.7% of budgeted expenditures. When the audit of the 2005-06 financial statements is complete, 2006-07 Beginning Fund Balance and Contingencies are expected to increase by \$24,000, which will partially offset this decrease to Contingencies.

CITY of WOODBURN
OCTOBER BUDGET REVISION

2006-07

Description	Account	Expenditures	Revenue	
<u>GENERAL FUND</u>				
Transfer IS Fund	001 199 9711 5811.568	14,000		
Contingencies	001 901 9971 5921	-14,000		
Police software				1
Transfer General CIP Fund	001 199 9711 5811.358	6,500		
Contingencies	001 901 9971 5921	-6,500		
Telephone backup system				2
Transfer to General CIP Fund	001 199 9711 5811.358	9,000		
Contingencies	001 901 9971 5921	-9,000		
Pool electric panel				3
Other Communications	001 151 1511 5429	15,000		
Contingencies	001 901 9971 5921	-15,000		
On line lien searches				4
Parks, Adimin, Architecture	001 491 7429 5411	6,500		
Parks, Admin, Printing	001 491 7429 5493	1,700		
Grants--Federal	001 000 3332		8,200	
Greenway design & brochure				5
Finance--Accounting/Auditing	001 151 1511 5414	3,000		
Contingencies	001 901 9971 5921	-3,000		
Hotel audits				6
Finance--Regular Salaries	001 151 1511 5111	20,823		
Finance--Workers' Comp	001 151 1511 5212	57		
Finance--FICA	001 151 1511 5213	1,625		
Finance--Retirement	001 151 1511 5214	3,434		
Contingencies	001 901 9971 5921	-25,939		
Finance Director's Contract				7
Library--Other Pro Services	001 311 3199 5499	2,000		
Contingencies	001 901 9971 5921	-2,000		
Moving Expenses				8
<u>HOUSING REHAB FUND</u>				
Comm Dev--Filing/Recording	137 531 5911 5496	250		
Contingencies	137 901 9971 5921	-250		
Lien releases				9

Description	Account				Expenditures	Revenue	
<u>GENERAL FUND CIP</u>							
Admin--Capital-Telephone	358	121	9531	5644	6,500		
Transfer from General Fund	358	000		3971.001		6,500	
Telephone backup system							2
Admin--Capital-Pk Buildings	358	121	9531	5623.002	9,000		
Transfer from General Fund	358	000		3971.001		9,000	
Pool electric panel							3
Admin--Capital-Library	358	121	9531	5622	2,606		
Beginning Fund Balance	358	000		3081		2,606	
Complete Library restrooms							10
<u>IS FUND</u>							
Capital Outlay-Computing	568	151	1921	5446	14,000		
Transfer from General Fund	568	000		3971.001		14,000	
Police software							1
<u>T & E Fund</u>							
PW Engineering--Software	582	651	9511	5446	2,400		
Contingencies	582	901	9971	5921	-2,400		
GIS software maintenance							11
Grand Total					<u>40,306</u>	<u>40,306</u>	

October 23, 2006

TO: Honorable Mayor and City Council
FROM: John C. Brown, City Administrator
SUBJECT: **Rate Adjustment for United Disposal Service, Inc.**

RECOMMENDATION:

It is recommended the City Council adopt the attached resolution authorizing an amended rate schedule for United Disposal Service, Inc.

BACKGROUND:

On October 9, 2006, the City Council considered United Disposal's proposal to enhance its curbside recycling program using 90-gallon roll carts. The attached staff report details the proposal, summarizes the results of an informal survey of city residents, and discusses statewide waste reduction mandates. The Council voted 5 to 1 to approve the proposal, which would increase residential collection rates by \$1.80 per month for all customers except those with 20-gallon trash containers who opt out of the program.

The Council's discussion related to the benefits of recycling, the concerns raised by Senior Estates residents, and program specifics and options available to United customers. Because the proposal includes a rate increase, the Council also considered the following elements dictated by Section 13 of United's franchise as necessary to justify a rate adjustment:

- 1) The cost of performing the service provided by the Franchisee;
- 2) The need for additional equipment to meet service needs; compliance with federal, state and local law, ordinances and regulations; or technological change;
- 3) The rates in other cities for similar service; and
- 4) The public interest by assuring reasonable rates to enable the franchisee to provide efficient and beneficial service to the residents and other users of the service.

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In approving the proposal, Council expressed concern regarding the size of the recycling containers for homes with small lots and small garages, and subject to strict CC and R's. Council asked City staff to work with United Disposal to determine whether a smaller container could be offered to such customers.

DISCUSSION:

Due to inventory considerations, it is United's preference to implement an option that maximizes opportunity to recycle but involves the fewest number of can-size options. Both United and City staffs also sought an option that can be uniformly implemented citywide. We are recommending a modified proposal: rather than a 90-gallon roll cart, United can provide each residential customer with a 65-gallon roll cart. Exempted from using the cart, and paying the associated charge, are those customers with 20-gallon trash containers who opt out of the program. The 65-gallon container reduces by approximately 1/3 the space occupied by a 90-gallon cart, and is lighter and easier to maneuver. United's experience in other communities suggests most 90-gallon containers that are collected every other week are only $\frac{3}{4}$ full, or less. As such, 65-gallon roll carts should be ample for most recyclers. For those who wish to recycle more, United will upgrade them, upon request and at no additional cost, to a 90-gallon cart. As United's acquisition costs are the same for the 65-gallon or 90-gallon roll cart, there is no change proposed to the \$1.80 monthly charge. All other aspects of United's disposal, as discussed with you on October 9, 2006, remain unchanged.

City and United staffs view this modification as a compromise that may alleviate some concerns regarding can size, and encourage you to approve it. If for some reason you do not, United is prepared to move forward with a program utilizing only 90-gallon carts.

It appears United has provided the information necessary to satisfy criteria upon which the Council can base its consideration of a rate adjustment. United's request is based solely on amounts needed to recover the cost of supplies, equipment and manpower associated with the proposal. The rates are lower, or consistent with, those implemented in surrounding communities for the same program. The proposal also enables United and the City to meet statutory requirements related to waste recovery, and provides public benefit by conserving natural resources and reducing the impacts of growth on existing and future landfill space. Accordingly, your approval of the attached resolution is respectfully recommended.

FINANCIAL IMPACT:

Every customer using a 35-gallon or larger garbage container, and each customer using a 20-gallon container that does not opt out of the program will be charged an additional \$1.80 per month for expanded curbside recycling. As has been indicated in the past, those customers who are able, through increased recycling, to reduce the size of their trash containers will be eligible for cost savings that range from \$2.40 per month for those currently using 35-gallon containers to \$5.90 per month for those using 90-gallon trash containers.

October 9, 2006

TO: Honorable Mayor and City Council through City Administrator
FROM: John C. Brown, City Administrator *JB*
SUBJECT: **Curbside Recycling Proposal**

RECOMMENDATION:

It is recommended the City Council consider United Disposal's proposal for an enhanced curbside recycling program, and determine Council policy.

BACKGROUND:

In June 2006, United Disposal presented a proposal to enhance its curbside recycling program by introducing 90-gallon roll carts (Attachment 1). United offered two alternatives: weekly collection at a per-customer cost of \$3.60 per month, or bi-weekly collection at a cost of \$1.80 per month. Program costs would be borne by each residential customer; financial participation would be mandatory. United operates this program in several communities in the area, and indicated in the majority of cases implementation was initially met with some opposition, but the programs are now well accepted.

Council indicated interest in the proposal, but expressed concern with its impact on some residents. You asked me to solicit resident input via an article in the City's quarterly newsletter. You also asked United Disposal to provide statistics regarding the size of containers used by its customers.

DISCUSSION:

Informal Survey

An article summarizing the proposal and asking residents for their opinions was published in the July issue of the City newsletter (Attachment 2). It was noted for the Council in June that this method of survey would net informal results. Nevertheless, the newsletter offers a cost effective mechanism for citywide distribution, to what has been a largely receptive public. It is mailed to

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City Attorney *NRS*

Finance *Ben*

approximately 4,500 homes in Woodburn. Copies of the newsletter are also available at City Hall, the Library, the Public Works Annex, and at sponsoring businesses. The English/Spanish language format limits the number of articles included in an issue; articles are generally limited to approximately one page in length. The recycling article provided a one-page summation of the proposal.

The responses obtained in July 2006 were directly attributable to the newsletter. Approximately 70 responses were received, about half of those from residents in Senior Estates. This issue has been paid considerable attention in the Senior Estates since then. Sentiments expressed in Mrs. Lucas's letter to Council in July 2006 (Attachment 3) were also expressed in the letters section of the "Independent," and in the "News and Views." As a result, residents there weighed in heavily on the subject in August, September, and October including the Senior Estates Board (Attachment 4).

By October 5th, 279 responses were received. 251 of those are from Senior Estates residents. Of the responses, 22 were favorable (8 percent), 5 of those from the Estates; 252 were unfavorable (90 percent), 246 of those from the Estates; and 5 were neutral (2 percent).

The main reasons given by those in favor of the proposal included:

- Larger container allows for more recycling
- Environmental considerations
- Carts can be rolled instead of carried
- Prevents wind-blown refuse in streets and yards
- Protects recyclables from the weather
- Community benefit

Of these responses, the need for a larger container so that more can be recycled, environmental considerations, and prevention of blowing trash, were the reasons most often cited in favor of the proposal.

The main reasons given by those opposed to the proposal included:

- Lack of room for 90 gallon cart
- Too costly
- Not enough recyclable material to justify larger container
- 90 gallon cart is too heavy
- United should not be able to profit from the proposal
- Participation should not be mandatory

- Recycling facility offers no cost alternative if bins are insufficient
- Bi-weekly pick-up will be confusing

Among the negative responses, respondents also offered variants on these reasons. These are not delineated in the interest of space, but are fairly represented in the forgoing list. Some respondents gave no reason for their opposition. The concern most frequently voiced relates to the size of the cart and limited storage space, followed in descending order by lack of material to recycle, cost considerations, and weight of the cart. Other concerns arose with far less frequency.

Survey responses, via letters, e-mails, and logged phone calls, are available in my offices, should you wish to examine them.

Container Sizes

One of the benefits of the proposal discussed with the Council is the opportunity for customers who recycle more to reduce their garbage can size and monthly bill. Based on the bi-weekly collection option, these savings were estimated at \$2.40 to \$8.85 per month, depending on current size and ability to downsize through additional recycling. No savings were attributed for those with 20-gallon cans, as they are the smallest container United offers. Council asked to quantify the can-sizes used, by ward, to determine how many customers could actually benefit from downsizing.

United indicates sorting this information was highly labor intensive, so statistics were gathered for only two wards: the 1st and 4th. Because of household sizes in these wards, they are most likely to contain the greatest number of customers using smaller cans; those without financial savings from the proposal. United's research results are tabulated as follows:

	Customers	Customers	Total
<u>Cart Size</u>	<u>Ward 1</u>	<u>Ward 4</u>	<u>Both Wards</u>
20 gallon	152	339	491
35 gallon	491	686	1,177
65 gallon	237	103	340
95 gallon	25	2	27

Based on this research, three quarters of the customers in these two wards could reduce their monthly garbage bills if they reduce can size through increased recycling. 58 percent can reduce their bills by \$2.40 per month, seventeen (17) percent can reduce their bills by \$8.85 per month, and one (1) percent can reduce their bills by \$5.90 per month. Adjusted to account for the \$1.80 recycling cart charge, for bi-weekly pick-up, these customers would net monthly savings of \$.60, \$7.05, and \$4.10 respectively. These savings are considerably less if adjusted for a weekly pick-up rate of \$3.60 per month. That option is not recommended due to cost considerations and United's experience in other communities, which indicates that bi-weekly pick-up of the roll cart is satisfactory. Those using 20-gallon carts can't downsize, but United indicates that, pursuant to its current policy, these customers may opt out of the program, and would not be subject to the \$1.80 per month charge. This is information which, had it been known prior to your June Council meeting or drafting the newsletter article, might have reduced the number of negative responses to the proposal (although lack of space for another can was the most significant drawback perceived by respondents).

Basis for the Proposal

City and United Disposal staffs meet periodically to discuss any franchise issues that might arise, and to share information regarding waste management and recycling. Among the issues discussed is the livability issue of wind-blown or animal-strewn refuse in our neighborhoods resulting from overloaded and exposed recycling bins. We also discussed the negative effect that exposure to weather has on the quality of material to be recycled. City staff also meets annually with County staff to review the City's compliance with State waste reduction requirements. Pursuant to Chapter 459A of the Oregon Revised Statutes, County staff is responsible for managing the mandatory waste reduction program for the City, and for annual compliance reporting. City staff was made aware through these meetings of changes in the curbside recycling programs in other cities, and of the need for increased recycling to maintain compliance with State goals.

Included in the Council's goals for the past three two-year cycles is a goal to "Encourage and Employ Sustainable Practices." Listed among the activities the Council approved to achieve this goal is "*Support recycling and use of recycled materials.*" In 2005, the Council modified this goal to state the City would conduct these activities "as the opportunity arises."

This proposal presents an opportunity to address the Council's sustainability goal. It can also increase neighborhood livability and the quality of products that are recycled from our community.

The Proposal

Citizen questions prompted additional discussion between City and United staffs regarding program mechanics. An expanded proposal summary may help explain how the program would be administered, and the options available to customers. Features of the program:

- Provides bi-weekly (or weekly) pick-up of 90-gallon roll carts
- Roll carts can be used for all mixed recycling except glass, batteries, latex paint and motor oil
- Glass, batteries, latex paint and motor oil must be segregated, and collected from the red bins
- Customers will keep the red bins, regardless of whether they use a 90-gallon roll-cart
- Each customer with a 35-gallon can or larger will be assessed \$1.80 per month for bi-weekly collection
- In the alternative, each customer with a 35-gallon can or larger will be assessed \$3.60 per month for weekly collection
- Program charges recover United's cost to purchase the 90-gallon roll carts, and offset a half-time position and additional automated collection truck. Profit is not factored into the charges
- Customers may refuse to use the 90-gallon roll carts, and may continue to use only the red bin
- Customers with a 35-gallon or larger container who refuse the roll cart will still be subject to monthly charge
- Customers using 20-gallon garbage carts may opt out of the program, and will not be assessed a monthly charge. If they recycle using a red bin, they may continue to do so at no cost
- Any customer who changes service from a larger cart to the 20-gallon cart may opt out of the program, will no longer be assessed the monthly recycling charge, and can continue to use the red bin to recycle
- Customers are allowed to change service once (1x) per year at no cost. Additional changes are assessed a charge of \$15 each
- Customers who over-stuff their refuse containers, or who place additional refuse (not recyclables) on or next to the container are assessed an overage charge

As discussed with you in June, benefits from this program include the opportunity to divert more recyclable material from the waste-stream, enabling the City and the County to reach and exceed mandated recycling goals. The 90-gallon roll cart provides greater capacity for recycling, a container that can be rolled rather than carried to the curb, and an opportunity to reduce the size of a customer's garbage can and the cost of their garbage service. It also contains material, preventing it from being wind or animal strewn, and protects that material, from the elements.

Statewide Goals

This section is not intended to be an exhaustive discussion of recycling in Oregon or the controlling statutes. It is intended to provide a brief overview of the regulatory reasons we recycle, and how United's proposal can help the City meet its mandated responsibilities.

In 1991, the Oregon Legislature set a 50 percent material recovery goal for the State, for the year 2000. In 2001, the legislature extended that goal to the year 2009. The 2001 legislature also established waste generation goals for the State. These are:

- For the calendar year 2005 and subsequent years, no annual increase in per capita municipal solid waste generation; and
- For the calendar year 2009 and subsequent years, no annual increase in total municipal solid waste generation

These goals are intended to conserve natural resources, to extend the useful life of existing landfills, and reduce the need for additional landfill sites. The Department of Environmental Quality is responsible for statewide compliance monitoring and reporting. Marion County bears that responsibility at the watershed level, on behalf of itself and its incorporated jurisdictions, although individual jurisdictions are also responsible for meeting recycling mandates. Program mandates can be, and are, conveyed to garbage haulers to be carried out.

ORS 459A establishes watershed recovery goals for 2005 and 2009. Watersheds are comparable to counties. The recovery rates established for Marion County are 37% in 2005 and 54% in 2009. Marion County is required to file an annual report, on behalf of itself and each of its incorporated jurisdictions, collected from reports that garbage haulers such as United must complete. Currently, the

Marion County recovery rate is 53.8%. This includes a six percent credit for education, composting, and reuse programs. Without this credit, Marion County's recovery rate is approximately 48 percent. Marion County's rate also includes an adjustment that counts as "recovery" materials burned in its waste-to-energy facility.

Statewide, and in Marion County, municipal solid waste generation is increasing. Between 1993 and 2004 total waste generation in Oregon increased statewide by 64 percent for the period. These increases reflect both an increase in population generating waste, and the amount of waste generated per person. Material Recovery also increased during that period, from 27 percent in 1993 to 45 percent in 2004. That gain was generally steady, although it jumped four percent in one year with the advent of curbside recycling programs. Limitations on those programs, such container size, can be expected to "flatten" recovery rates.

While Oregon and Marion County, and within it Woodburn, are currently exceeding Statewide recycling goals, that trend cannot be expected to continue without increasing efforts to recycle. Woodburn's population is expected to increase by approximately 3 percent per year between now and 2020, based on our Periodic Review planning. Some of that population will represent new households, which could be expected to mirror current recycling trends. Our population increase, however, is also expected to reflect birthrates, suggesting larger household sizes which may be constrained in their recycling by can size. Regardless, increases in per capita waste generation on the Statewide and local level suggest that unless recycling can be increased to offset population growth, the City will fall behind recycling mandates.

It should be noted that ORS 459A does not specify penalties for failing to attain waste reduction goals. It requires study, to determine means to remediate the shortfall. Practically, attainment failure will result in the need for additional landfill space, and avoidable exhaustion of natural resources.

United's proposal provides an opportunity, through larger containers, to increase residential recycling in Woodburn to help reach Statewide goals. Although information specific to all area localities now using the 90-gallon carts is not yet available, information provided by the Mid-Valley Garbage and Recycling Association indicates that haulers in the Salem area have seen increases from 10 to 200 percent following the introduction of mixed recycling in the 90-gallon carts in 2003. The seven haulers serving Salem report an overall average increase of 53 percent between 2002 and 2003, with individual differences

based on the social-economic status of the areas served. It is difficult to project how Woodburn's experience might compare. It seems reasonable to expect, however, that significant increases could be gained in the amount of material recycled, if United's proposal is implemented. Such increases would certainly help offset the effect of future growth on our waste generation.

Conclusion:

Based on community response, largely from residents of Senior Estates, there appears to be little support for United's proposal. As previously indicated, the survey conducted by the City was informal, and did not reflect widespread City opinion. Responses may have been less unfavorable had there been an awareness that those with 20-gallon containers can opt out of the program. The largest single concern, however, was lack of space for another container at homes with smaller garages and yards, and restrictions on what may be placed in the yard.

For many residents without such concerns, this proposal presents an opportunity to reduce their monthly garbage bills, by increasing the amounts they recycle. It also provides an opportunity for the Council to meet a stated goal, and to continue to maintain compliance with statewide waste reduction mandates into the future.

Representatives from United Disposal will attend Monday's meeting, to answer any questions you may have regarding the proposal. Staff from Marion County Public Works' Environmental Services Division will also be available to answer questions you have may regarding recycling.

FINANCIAL IMPACT:

None, beyond those discussed in the body of the report related to charges and potential savings.

ALLIED WASTE OF MARION COUNTY/UNITED DISPOSAL SERVICES
 COMMINGLED COST WORKSHEET
 CITY OF WOODBURN

Yard Debris Pickup: Weekly
 Commingle Recycling Pickup: Bi-Weekly in rollcars plus red bin
 Weekly in rollcars plus red bin

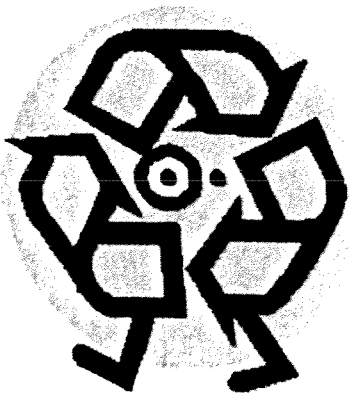
CAPITAL COSTS

		Per year	Per month
Roll Cars Commingle Recycle			
Number of roll carts	4,950		
Cost per roll cart	\$ 52.99		
Total Cost	\$ 262,301		
Cost per year	\$ 26,230 10 year life	\$5.30	\$0.44
Trucks			
Number of trucks	1.0		
Depreciable cost per truck	\$ 210,000		
Total Cost	\$ 210,000		
Cost per year	\$ 30,000 7 year life	\$6.06	\$0.51

OPERATING COSTS

		Includes Fuel, Insurance,R&M,Taxes and License	
Vehicle operating costs	\$ 101,934		
Retrofit costs (recovered over five year life)			
Labor	\$ 55,786	Pay, benefits included	
Insurance			
Cost per year	\$ 157,720	\$31.86	\$2.66
Total Annual Cost to Provide Service	\$ 213,950		
Franchise Fee (additional on Revenue)			
Total Annual Charge to Customer	\$ 213,950		
Cost per month per customer - Weekly	\$ 3.60		\$3.60
Cost per month per customer - Bi Weekly	\$ 1.80		\$1.80

MIXED CURBSIDE RECYCLING PROPOSAL



The Woodburn City Council recently considered a proposal from our waste hauler, United Disposal, to provide a mixed curbside recycling program. The Council wants to hear your thoughts on the proposal before they make a decision.

United Disposal recycles as an environmentally responsible alternative to landfilling valuable material. Recycling is key to United, the City of Woodburn, and the County of Marion in meeting waste-stream reduction targets established by State statute.

Woodburn residents currently recycle using the familiar "red bins," which must be carried to the curb and which are emptied weekly. Customers are asked to separate recyclables by type: paper, glass, cardboard, plastics, etc. Oil, paint, and batteries are to be further separated. This program is provided without charge. The size of the red bin limits the amount of material that can be recycled and the space available to segregate materials. Bins can fill quickly, leading customers to throw out items that would otherwise be recycled. Because the bins have no lids, wind and animals can strew contents about, which litters our streets and neighborhoods.

United's recycling programs in cities that include Hubbard, Silverton, and Salem, use 90-gallon carts collected every other week. United proposes to implement this program in Woodburn. Except for glass, oil, paint, and batteries, recyclables can be mixed, which makes recycling easier. Program costs would be assessed to **all** United customers, at a rate of \$1.80 per month. An alternative, weekly pick up, could be done for \$3.60 per month.

90-gallon carts allow customers to recycle more material than the red bins. This can enable enthusiastic recyclers to reduce the size and cost of their regular garbage service. By increasing the amount of material they recycle, customers may be able to drop the size of cart needed for regular garbage pick up. Potential net monthly savings from doing so, based on rates effective July 1, 2006, are summarized below:

Cart Size (in Gallons)	Monthly Cost	Gross Monthly Savings *	Net Monthly Savings **	Net Annual Savings
90	\$34.00	\$5.90	\$4.10	\$49.20
65	\$28.10	\$8.85	\$7.05	\$84.60
35	\$19.25	\$2.40	\$0.60	\$7.20
20	\$16.85	n/a	n/a	n/a

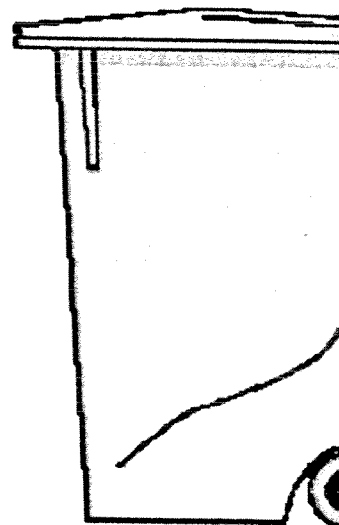
* Based on reduction to next smaller cart size

** Monthly savings, minus \$ 1.80 per month charge for 90 gallon recycling cart

The proposed program offers other benefits. Recyclables can be wheeled to the curb, and carts with lids keep material inside and streets and neighborhoods cleaner. Every-other week collection reduces the noise and traffic from garbage trucks in our neighborhoods, and saves fuel and manpower. And, the program can divert more material from the waste-stream, extending the life of our landfill. More information on the proposal can be obtained by calling United Disposal at (503) 981-1278.

You can share your feelings with the Council on this proposal in one of three ways:

- 1) Write a letter to the Council at City Hall, 270 Montgomery Street, Woodburn 97071;
- 2) e-mail the Council at city.hall@ci.woodburn.or.us; or
- 3) Call (503) 982-5228 and share your opinion with city staff. Those providing contact information will receive personal notification of the meeting date when the Council considers this matter.



214 E. Clackamas Circle
Woodburn OR 97071
July 5, 2006

Members of the Woodburn City Council and John Brown

In your most recent quarterly newsletter, you describe a proposal to cut recycling pickups from one a week to one every two weeks and to charge fees for recycling.

When I called United Disposal about this proposal, I was told that customers have complained that the red bins were not big enough, that many people love recycling and want to do more. If these people want to do more, United could give them a larger recycling bin instead of trying to change the recycling system for everyone in Woodburn, a system that seems to have worked for many years.

I have two complaints about the proposal. First is lack of space - my house is 1200 square feet - I have a double garage - my lot is 50 x 80 - I already have a 35-gallon garbage can in my garage and a 65-gallon yard debris cart in my side yard - my present red recycling bin sits on a stand in my garage. A 90-gallon recycling bin will not fit anywhere either in the garage or in the yard.

My second complaint. United's proposal would cut service and increase fees. Presently we pay nothing for recycling. United's proposal would cut recycling pickups from once a week to once every two weeks. And they would charge fees for recycling - fees they say would cover the cost of the 90-gallon can and expenses of pickups, expenses they themselves are incurring with their proposed activities.

United's local general manager has told me about 20-gallon garbage cans, about using red bins for some recyclables and the 90-gallon cans for other recyclables. She also told me that plans for Woodburn are made here, not at the Allied Waste Services home office in Scottsdale Arizona, but she said that no consideration was given to the storage of these large bins on small lots.

Before you embark on some revision of the present recycling franchise, please get more information to the public about the alternatives. Your quarterly newsletter did not lay out all the ins and outs. Just one example. Could we take our newspapers to a drop off station instead of having them picked up? This would eliminate most of the need for a 90-gallon can. Without newspapers I could easily get by using my red bin for two weeks.

My husband and I think our garbage pickup system is good: once a week for garbage is plenty, the yard debris pickup is enough, the red bin recycling has been satisfactory and special pickups are easily arranged. Things are working fine. Don't change them.

Barbara Lucas



SENIOR ESTATES

Golf & Country Club

A 55 Plus Community
1776 Country Club Road
Woodburn, Oregon 97071-2348

Woodburn City Council
Woodburn City Hall
270 Montgomery St..
Woodburn, Or. 97071

Subject: United Disposal Services Proposal

Please be advised that Senior Estates Golf & Country Club Board of Directors discussed the mentioned proposal at a recent Directors meeting along with entertaining residents comments regarding the proposed change.

The decision made by the Board with resident support request there are no changes to the present refuse program offered by United Disposal Services.

Containers are to remain as presently in use.

If you need any further information please contact me through Senior Estates office.

Sincerely,

Robert J. LaVere
President

CC: All Board Members

August 14, 2006

COUNCIL BILL NO.

RESOLUTION NO.

A RESOLUTION GRANTING UNITED DISPOSAL SERVICE, INC., AN ADJUSTED RATE SCHEDULE FOR PROVIDING SOLID WASTE SERVICE WITHIN THE CITY OF WOODBURN AND AMENDING RESOLUTION 1833.

WHEREAS, Ordinance 1641 grants an exclusive franchise to United Disposal Services, Inc. ("United Disposal") to collect, transport, and convey solid waste in the City; and

WHEREAS, United Disposal provides curbside recycling for its residential customers; and

WHEREAS, the City Council previously adopted Resolution 1833 which established rates for residential, commercial, and industrial refuse collection; and

WHEREAS, United Disposal will expand its curbside recycling program to provide roll-cart collection; and

WHEREAS, United Disposal has requested an adjustment to its residential rates to recover the costs of expanded curbside recycling and has submitted satisfactory evidence to the City Council to justify the proposed rate adjustment;
NOW, THEREFORE,

THE CITY OF WOODBURN RESOLVES AS FOLLOWS:

Section 1. The Council finds that the rate proposed by United Disposal is fair and appropriate under the existing franchise. In making this determination, the Council considered the following factors pursuant to Section 13 of Ordinance 1641:

- (1) The cost of performing the service provided by the franchisee.
- (2) The need for additional manpower and equipment to meet service needs; compliance with federal, state and local law, ordinances and regulations; or technological change.
- (3) The rates in other cities for similar service.

- (4) The public interest by assuring reasonable rates to enable the franchisee to provide efficient and beneficial service to the residents and other users of the service.

Section 2. The residential rate schedule affixed as Attachment "A" and by this reference incorporated herein, is approved.

Section 3. The residential rate schedule approved in Section 2 of this resolution shall be effective January 1, 2007.

Section 4. All other rates established pursuant to Resolution 1833 shall remain unchanged and are effective until amended or repealed by the City Council.

Approved as to form: _____
City Attorney Date

Approved: _____
Kathryn Figley, Mayor

Passed by the Council _____
Submitted to the Mayor _____
Approved by the Mayor _____
Filed in the Office of the Recorder _____

ATTEST: _____
Mary Tennant City Recorder
City of Woodburn, Oregon

WOODBURN RATE SHEET-AREA 20

RESIDENTIAL RATES

Pick-up dates: Mon/Tues/Wed/Thur/Fri

Included with service weekly: Trash, Yard Debris

Every other week: Cart and Bin Recycle

Line of business: 30

SIZE	PKG PRICE	NO YARD DEBRIS	ADD. TRASH CART	ADD. YARD CART
20 gallon				
REGULAR	\$18.65			\$6.20
RECYCLE OPT OUT	\$16.85			
35 gallon				
REGULAR	\$21.05			\$6.20
NON-CURB				
HARDSHIP				
OWN CAN				
65 gallon				
REGULAR	\$29.90			\$6.20
NON-CURB				
HARDSHIP				
OWN CAN				
90 gallon				
REGULAR	\$35.80			\$6.20
NON-CURB				
HARDSHIP				
OWN CAN				

On-call pick-up:\$7.80

Sharps:\$14.30

Recycle only: \$4.50, Bin only

Extra can/bag/box: \$5.00

Request to change or switch container: \$15.00

(after allowed one change @ n/c)

Outstanding invoices older than 60 days are subject

to a service interrupt fee of \$25.00

Return fee:\$10.00

Yard debris contaminated:\$8.30

Senior discount upon approval: N/A

Premium drive-in service (per cart): N/A

A late fee of 18% per annum with a \$5.00 monthly minimum will be charged for non-payment after 45 days from invoice date.

MFC Apts & Mobile Home Parks (Includes garbage and bin only)


(4 or more adjoining units)

SIZE	PRICE		
20 gallon			
35 gallon	\$17.45		
65 gallon	\$26.55		
90 gallon	\$35.00		

EFFECTIVE 1/1/07

October 18, 2006

TO: Honorable Mayor and City Council through City Administrator

FROM: David Torgeson, Assistant City Engineer, through Director of Public Works 

SUBJECT: **Award of Contract – Ogle/RR/Front Storm Drain Bore Crossing**

RECOMMENDATION:

It is recommended the City Council:

1. Award the contract to the lowest responsible bidder, Emery and Sons Construction, Inc. for Ogle/RR/Front Storm Drain Bore Crossing, Bid Number 2007-04; and
2. Authorize the City Administrator to execute a contract with Emery and Sons Construction in the amount of \$226,184.

BACKGROUND:

Construction of the bored crossing is an important element of a larger project to provide a regional storm water detention facility for lands west of Settlemier Avenue and south of Smith Addition. The pipeline begins in Settlemier Park, in the vicinity of the tennis courts, and proceeds across South Front Street, the Union Pacific Railroad, and Ogle Street where it discharges to a tributary of Mill Creek. The new pipeline parallels an existing storm drain situated to the north. The new line augments the capacity of the present pipe crossing.

The main element of the project, as conceived and as bid is 212 feet of 24-inch reinforced concrete pipe, of which 120 feet will be placed in a cased bore. The casing beneath Front Street and the railroad is steel, 42-inch in diameter. An existing sanitary sewer pipe near the outfall will be lowered to further protect the sewer where it now crosses the streambed. Additional protection against erosion and damage to the sewer will be afforded by placement of heavy riprap and construction of a concrete apron above, at the storm drain outlet, extending downstream about 12-feet.

Agenda Item Review:

City Administrator 

City Attorney 

Finance 

The City and UPRR engaged in a Pipeline Crossing Agreement on April 11, 2006. By this agreement, the City has authority to install the bored casing and carrier pipe on railroad property. Additionally, the City is enabled to eliminate a present safety hazard. A manhole will be installed to join two sections of the existing storm drain line, eliminating an open hole on railroad property west of Ogle Street. The City must exercise the rights granted in the agreement by April 2007, or the agreement may be subject to termination by the railroad upon its service of written notice.

Temporary construction and permanent easements have been secured from Mr. and Mrs. Lawrence Johnston, owners of property upon which construction at the pipe outfall will occur.

DISCUSSION:

Bids were received from three pre-qualified, responsible contractors with the following results:

<u>Engineer's Estimate</u>	<u>\$210,231.00</u>
Emery and Sons	\$277,293.00
James W. Fowler	\$361,365.00
Kerr Contractors	Non Responsive

Negotiation with the lowest responsive, responsible bidder is allowed by ORS 279C.340. The rules for such negotiation are set forth in OAR 137-049-0430, and provides that "*if all Responsive Bids from Responsible Bidders on a competitively Bid Project exceed the Contracting Agency's Cost Estimate, prior to Contract Award the Contracting Agency may negotiate Value Engineering and Other Options with the Responsible Bidder submitting the lowest, Responsive Bid in an attempt to bring the Project within the Contracting Agency's Cost Estimate*". Because the apparent low bid exceeds the estimate prepared by the designer, Emery and Sons was invited to participate in a Value Engineering study to identify clarifications, changes in materials, and all matters that had the potential of reducing contract cost. An adjusted figure was derived as a result. During the study, recent dramatic price escalation of components of steel material was noted. Emery proposes to construct a project that differs in minor respects from the one first bid. The changes that are presently agreed upon include reduced size of casing in bore; modifications to pipe connection at west end, and resulting reduction in trenching and structures. The total savings from Value Engineering, affecting six bid items, is \$51,107, about 18 percent of Emery's original bid. It is expected, therefore, that the amount to be expended

for the construction will not exceed Emery's figure, shown in the attachments, of \$226,186.

The major item of savings involves substitution of a single 24-inch steel casing for the combination of a 42-inch steel casing with a 24-inch reinforced concrete pipe nested inside as a carrier pipe. By telephone on October 13, Mr. Jon Devish at the Omaha office of the UPRR concurred that the substitution was satisfactory. Staff has requested and is awaiting written confirmation and approval from Devish. That communication is expected to arrive soon. Since the low bidder has agreed with the Value Engineering bid price, Notice to Proceed will be given the contractor in the amount of \$226,186 after City Council has approved the award.

The award shall be contingent upon receipt of written confirmation by Union Pacific Railroad of approved materials substitution.

FINANCIAL IMPACT:

The project is listed in the Capital Improvement Plan for fiscal year 2006-07. Funds are available to support this work, in the following funds and in the following amounts:

Systems Development funds: (SDC)	\$194,000
Street/Storm CIP funds:	\$ 32,186

ATTACHMENT:

Emery & Sons facsimile letter (10-10-2006), with revised construction estimate.



EMERY & SONS
CONSTRUCTION INC.
General Contractors
Underground Specialists
CCB #312

FACSIMILE COVER LETTER

PNT. DATE: Oct
Sept, 10th 2006

DELIVER TO: Duane K. Barrick
City of Woodburn (Engineering
Division)

LOCATION:

FAX NUMBER: 1-503-982-5242

FROM: Arin Atiyeh

COMPANY: Emery & Sons Construction Inc.
Ogle/ Front Storm Drain Bore
Crossing

REFERENCE:

This transmission consists of **3 pages** including this cover letter. If this transmission is incomplete, please call at (503) 769-7751.

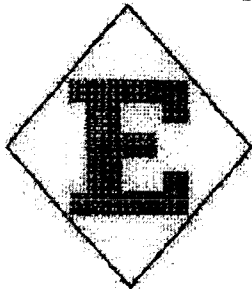
Duane,

Attached is our new estimate for the Ogle/ Front Storm Drain Bore Crossing with our proposed valued engineering changes. If you have any questions feel free to give me a call. We look forward to working with you on this project.

Sincerely,

Arin Atiyeh
Project Manager/Estimator
arin@emeryandsons.com

Ogle/ Front (Valued Engineering Proposal)



Emery and Sons Construction Inc.

P.O. Box 398 Stayton, OR 97383

Contact: Arin Atiyeh

Phone: 503-769-7751

Fax: 503-769-5266

Quote To:

Duane K. Barrick
City of Woodburn (Engineering Division)
503-980-2408
503-982-5242

Phone:

Fax:

Job Name:

Date of Plans:

Revision Date:

Ogle/ Front SD Bore Crossing

Aug, 2006

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
100	Grouted Rip Rap Splash Pad	1.00	LS	3,000.000	3,000.00
200	Demo Exist. Concrete Headwall	1.00	LS	1,500.000	1,500.00
300	Construct New Segmental Headwall	1.00	LS	21,000.000	21,000.00
400	Class 50 Rip Rap W/Geofabric	35.00	CY	90.000	3,150.00
500	Mobilization-Demobilization	1.00	LS	14,500.000	14,500.00
600	Clearing & Grubbing	450.00	SY	5.500	2,475.00
700	Temporary Traffic Control	1.00	LS	2,500.000	2,500.00
800	Grass Seeding	50.00	SY	7.000	350.00
900	Class 2 Trenching & Backfill (6'-10')	20.00	LF	95.000	1,900.00
1100	24" x 1/2" Bore Casing/ Carrier	203.00	LF	675.000	137,025.00
1200	ODOT Type 2-A Guardrail	36.00	LF	90.000	3,240.00
1300	8" DI GS Pipe	34.00	LF	67.000	2,278.00
1400	Demo Exist. 8" GS Pipe	34.00	LF	12.000	408.00
1500	48" SD MH (6' Depth)	1.00	EA	2,300.000	2,300.00
1600	48" SD MH-Extra Depth	4.00	LF	205.000	820.00
1700	Conn. Exist 8" to New 48" MH	1.00	EA	600.000	600.00
1800	Demo Exist 48" MH	1.00	EA	1,400.000	1,400.00
2000	12" Plastic (ADS/N-12/HDPE) SD Pipe Complete	10.00	LF	84.000	840.00
2100	New G-2 CB w/12" Sump	1.00	EA	1,300.000	1,300.00
2200	96" SDTrans. Structure (6' Depth)	1.00	EA	18,000.000	18,000.00
2300	Connect New 24" Casing to 108" SD MH Sta 2+14	1.00	LS	2,500.000	2,500.00
2500	96" Dia. SD MH - Extra Depth	7.00	LF	700.000	4,900.00
2900	Connect 12" HDPE to New 96" Trans Structure	1.00	EA	200.000	200.00
GRAND TOTAL					\$226,186.00

NOTES:

Duane,

Please consider our proposal for the Ogle/ Front Storm Drain Bore Crossing with our proposed changes. Please note the new quantities, dimensions, deleted and altered bid items. In addition to all of the items we discussed we also changed the Concrete Splash Pad to a Grouted Rip Rap option in order to lower our cost.

Page 1 of 2

Agenda Item

October 19, 2006

TO: Mayor and City Council through City Administrator
FROM: Thomas P. Tennant, Captain ^{TPT}
SUBJECT: **Liquor License New Outlet**

RECOMMENDATION:

The Woodburn City Council recommend that the OLCC approve a New Outlet application for Margarita's La Cantina.

BACKGROUND:

Applicant: Wolf, Mark Conrad
654 Tukwila Drive
Woodburn, Or. 97071
425-941-6066

Business: Margarita's La Cantina
1593 Mt. Hood Ave
Woodburn, Or 97071
425-941-6066

Manager: Johnson, Amelia Mae
2040 N. Redwood #46
Canby, Or
503-999-5040

License Type: **Full On-Premise Sales** – Permits beer, wine, cider and hard alcohol sales for on-premise consumption only.

On October 5, 2006 the Woodburn Police Department received an application requesting approval for full on-premise sales license for Margarita's La Cantina located at 1593 Mt. Hood Ave. This is a new business, occupying the building

Agenda Item Review: City Administrator  City Attorney  Finance 

formerly housing the 19th Hole. The applicant already has an OLCC license under the trade name Legends Bar and Grill however the business (The Bunker) has been closed. The above-mentioned applicant is now applying for a new outlet license.

The business will be open from 11:30 am to 10:00 pm Sunday through Wednesday and 11:30 am to 2:00 am Thursday through Saturday. Food service will be available while the business is open. There will be no live music, or video lottery machines in the business. The police department has received no communication from the public or surrounding businesses in support of or against the change of ownership.

DISCUSSION:

The police department has completed a background investigation on the applicant and found nothing of a questionable nature, which would preclude the issuance of this Liquor License.

FINANCIAL IMPACT:

None

OREGON LIQUOR CONTROL COMMISSION
LIQUOR LICENSE APPLICATION

UCI - 5 2006
FINANCE DEPARTMENT
CITY OF WOODBURN

\$100.00



07-19634

PLEASE PRINT OR TYPE

Application is being made for:

LICENSE TYPES

- ☒ Full On-Premises Sales (\$402.60/yr)
☐ Commercial Establishment
☐ Caterer
☐ Passenger Carrier
☐ Other Public Location
☐ Private Club

☐ Limited On-Premises Sales (\$202.60/yr)
☐ Off-Premises Sales (\$100/yr)
 ☐ with Fuel Pumps
☐ Brewery Public House (\$252.60)
☐ Winery (\$250/yr)
☐ Other: _____

ACTIONS

- ☐ Change Ownership
☒ New Outlet
☐ Greater Privilege
☐ Additional Privilege
☐ Other _____

FOR CITY AND COUNTY USE ONLY
The city council or county commission:

(name of city or county)

recommends that this license be:

Granted ☐ Denied ☐

By: _____
(signature) (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: OLCC

Date: 10/2/06 PENDING

90-day authority: ☐ Yes ☐ No

Applying as:

- ☐ Individuals ☐ Limited Partnership ☐ Corporation ☒ Limited Liability Company

1. Applicant(s): [See SECTION 1 of the Guide]

- ① MARK C. WOLF ③ LEGENDS BAR & GRILL LLC
② _____ ④ _____

2. Trade Name (dba): LEGENDS BAR & GRILL LLC dba LA CANTINA

3. Business Location: 1593 MT. HOOD AVENUE WOODBURN MARION OR 97071
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 1593 MT. HOOD AVE. WOODBURN OR 97071
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 425-941-6066 NONE
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? ☐ Yes ☒ No

7. If yes to whom: N/A Type of License: N/A

8. Former Business Name: N/A

9. Will you have a manager? ☒ Yes ☐ No Name: AMELIA JOHNSON
(manager must fill out an individual history form)

10. What is the local governing body where your business is located? CITY OF WOODBURN
(name of city or county)


11. Contact person for this application: MARK C. WOLF 425-941-6066
(name) (phone number(s))
654 TWKILA DRIVE, WOODBURN, OR 97071 president+nwres@yahoo.com
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:
① [Signature] Date 8/28/06 ③ _____ Date _____
② _____ Date _____ ④ _____ Date _____

1-800-452-OLCC (6522)
www.olcc.state.or.us

October 23, 2006

TO: Honorable Mayor and City Council
FROM: John C. Brown, City Administrator 
SUBJECT: **City Administrator Employment Agreement**

RECOMMENDATION:

It is recommended the City Council approve, and authorize the Mayor to execute, the attached Addendum to the Employment Agreement with John C. Brown.

BACKGROUND:

I am employed pursuant to an employment agreement executed in September 2004. The agreement establishes my compensation, benefits, working conditions and rights, requires the Council to evaluate my performance annually, and provides for merit-based salary increases. On October 9, 2006 you evaluated my performance for the past year and elected to increase my salary by six (6) percent, inclusive of any COLA that I would otherwise have been granted.

DISCUSSION:

The attached addendum modifies the salary provision of the Administrator's contract, effective October 1, 2006. Other contract provisions are unchanged. As with previous agreements, I am entitled to the same benefits as other management employees, however, this increase was granted in lieu of any CPI-based increase to which I would otherwise have been entitled. This condition is reflected in the provision of the Resolution addressing compensation for the coming evaluation period.

FINANCIAL IMPACT:

The attached agreement increases the City Administrator's base compensation from \$120,432 to \$127,572 annually. Total salary and benefits will increase from \$168,950 to \$177,739. The total cost of this increase in 2006-07 is \$8,789 and will be supported primarily by the General Fund. Funding to support this increase will need to be transferred to the City Administrator's budget prior to the end of the fiscal year.

ADDENDUM "B"
COMPENSATION ADJUSTMENT
TO EMPLOYMENT AGREEMENT WITH
JOHN C. BROWN, CITY ADMINISTRATOR

THIS ADDENDUM TO AGREEMENT is entered into this 23rd day of October 2006, between the City of Woodburn, ("City"), an Oregon municipal corporation, and John C. Brown, ("City Administrator").

WITNESSETH

WHEREAS, City and City Administrator executed an Employment Agreement on September 27, 2004; and

WHEREAS, that Employment Agreement has been amended to reflect adjustments in the City Administrator's compensation as a result of annual performance evaluations; and

WHEREAS, the City Council conducted an evaluation of City Administrator on October 9, 2006 and concluded the City Administrator exceeds applicable standards for his employment; and

WHEREAS, the City Council wishes to amend City Administrator's employment Agreement to provide a compensation adjustment based upon the results of City Administrator's evaluation.

NOW, THEREFORE, in consideration of the terms, conditions and covenants contained herein, the parties agree as follows:

The Employment Agreement is amended to add a new section 6 which shall read:

6. Salary. During the Services Period, City agrees to pay employee for services rendered a base annual salary of One Hundred Twenty Seven Thousand Five Hundred Seventy Two Dollars (\$127,572), payable in installments at the same time as the regular employees of City are paid. The parties further agree that no cost of living salary increases shall be extended to the City Administrator during the period starting with the execution of this Addendum and ending with the City Administrators next evaluation by the City Council. Annually, after a satisfactory evaluation by the City Council, an increase in salary will be negotiated.

In Witness Whereof, the parties hereto have executed this Agreement on the date written above.

City of Woodburn

City Administrator

Kathryn Figley, Mayor

John C. Brown,

October 23, 2006

TO: Honorable Mayor and City Council through City Administrator
FROM: Jim Allen, Community Development Director *ja*
SUBJECT: Community Development Director's Approval of Design Review 06-09
located at 1585 N. Pacific Highway, Ste. A (Wireless Toyz)

RECOMMENDATION:

No action is recommended. This item is placed before the City Council for information purposes in compliance with the Woodburn Development Ordinance. The City Council may call up this item for review if it desires.

BACKGROUND:

On October 18, 2006, the Woodburn Community Development Director approved the applicant's request for Design Review approval to install a parapet and awning to an existing building. The subject site is located within Pacific Plaza at Ste. A, 1585 N. Pacific Highway (Highway 99E) and is further identified on Marion County Assessor Map as T5S, R1W, Section 08DB, Tax Lot No. 900.

The subject property is zoned Commercial General (CG) and designated Commercial on the Comprehensive Plan Map. The surrounding properties to the north (across Mt. Hood Avenue), south, east (across North Pacific Highway) and west are zoned CG and designated Commercial on the Comprehensive Plan Map. The property to the north is developed with North Park Plaza. The property to the south is developed with Los Cabos Restaurant and the continuation of Pacific Plaza. The property to the east is developed with Safeway Plaza. The property to the west is developed with an Oil Can Henry's. According to Flood Insurance Rate Map (FIRM) 41047C0139G, effective January 19, 2000, the subject site is located outside of the 500-year FEMA floodplain. The Woodburn Local Wetlands Inventory shows no wetlands located on the subject site. Pacific Plaza, the commercial complex on the subject site, was constructed in the 1970s.

The applicant is David Adams and the property owner is Heffernan Properties, LLC.

Agenda Item Review: City Administrator *[Signature]* City Attorney *[Signature]* Finance *[Signature]*

DISCUSSION:

None.

FINANCIAL IMPACT:

There is no financial impact associated with the recommended action.